United Nations S/2006/628

Security Council

Distr.: General
8 August 2006

Original: English

Report of the Secretary-General on Timor-Leste pursuant to Security Council resolution 1690 (2006)

I. Introduction

1. By its resolution 1690 (2006) of 20 June 2006, the Security Council extended the mandate of the United Nations Office in Timor-Leste (UNOTIL) until 20 August 2006, and requested me to provide by 7 August a report on the role of the United Nations in Timor-Leste following the expiration of the mandate of UNOTIL, taking into account the current situation and the need for a strengthened United Nations presence. In addition to covering major developments since my report of 20 April 2006 (S/2006/251), the present report presents recommendations on the future role of the United Nations in Timor-Leste. In revising those recommendations previously set out in my report to the Council of 20 April (S/2006/251, paras. 52-54), I have taken account of the request made by President Kay Rala Xanana Gusmão, the President of the National Parliament, Francisco Lu'Olo Guterres, and then Prime Minister Mari Alkatiri in their 11 June letter to me (S/2006/383), and have drawn substantially on the findings and recommendations of the assessment mission to Timor-Leste led by my Special Envoy, Ian Martin, from 26 June to 9 July (see sect. IV below). While the assessment mission offered sometimes critical findings regarding the actions taken by various parties concerned, including the United Nations, I feel that we all stand to benefit from its frank observations and recommendations.

II. Major developments since April 2006

A. Political and security developments

2. In my previous report to the Council on 20 April, I described as a troubling development the events leading to the dismissal in mid-March of nearly 600 members of the Timorese armed forces, Falintil-Forças Armadas de Defesa de Timor-Leste (F-FDTL), who had complained of discriminatory treatment (S/2006/251, para. 3). It is now evident that those events were only the precursor to a political, humanitarian and security crisis of major dimensions with serious consequences for the young State of Timor-Leste. While the level of violence has abated significantly since its peak in late May-early June and a new Government pledged to unifying the nation has been installed, the crisis is far from resolved and many of the underlying factors can only be addressed in the longer term.

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3. On 24 April, the 594 members of the Timorese armed forces who had been dismissed from service, known as the "petitioners" or the "594 Group", joined by sympathizers, began four days of generally peaceful demonstrations in Dili. The demonstrators demanded the establishment of an independent commission to address their grievances, including the alleged discrimination they faced within the armed forces as persons from the western districts. On 27 April, Prime Minister Alkatiri announced that such a commission would be formed. On 28 April, as the demonstrators decided to carry their protest into a fifth day, unidentified youths broke through the lines of the Timorese national police (Policia Nacional de Timor-Leste (PNTL)) and attacked the main Government building, causing serious injury to a PNTL officer and the destruction of property and vehicles. A general deterioration of the security situation throughout the city ensued, prompting the Government to call on F-FDTL to restore order. The decision to mobilize F-FDTL troops to control a volatile situation, at the centre of which was a large group of dismissed soldiers and their supporters, was widely criticized and its legal basis challenged. Five persons were reported killed and more than 40 injured in the violence that followed, although rumours spread that the death toll was much higher. There was significant damage to public buildings and to private property and vehicles. Some 15,000 persons sought refuge in churches, public buildings and the United Nations facilities in Dili, while others left for the districts.

4. The ramifications of the violence of 28 April were far-reaching. Most of the "594 Group" of petitioners removed themselves to the western highland towns of Gleno and Aileu. On 3 May, Major Alfredo Reinado, commanding officer of the military police, broke away from F-FDTL along with two other senior officers from western districts.

5. On 8 May, about 500 persons, including some petitioners, surrounded the office of the Regional Secretary of State in Gleno, the district capital of Ermera, to prevent the Secretary of State from leaving the building. The demonstrators attacked two unarmed PNTL officers of eastern origin, who had been persuaded to disarm by a commander of western origin, causing the death of one and serious injury to the other. The incident exacerbated tensions within PNTL, setting easterners against westerners and officers loyal to the Minister of the Interior, Rogério Lobato, against those who opposed him. These cleavages were most pronounced at the PNTL headquarters in Dili, within the Dili district command and in the PNTL specialized units.

6. In this extremely tense atmosphere, the ruling Fretilin party held its national congress in Dili on 17-19 May. Although faced with a challenge from the "reformist" wing of the party, Prime Minister Alkatiri was re-elected Secretary-General of the party, and his allies swept the board, winning by overwhelming majorities, after changing the method of voting from a secret ballot to a show of hands.

7. On 23 May, an armed group led by Major Reinado, who had come down to Dili from his base in the hill town of Aileu, engaged F-FDTL soldiers and PNTL officers in a protracted exchange of fire that resulted in deaths on both sides. The following day, the F-FDTL headquarters in Tasi Tolu (to the west of Dili) came under fire from an armed group reportedly consisting of petitioners, PNTL officers and civilians. F-FDTL headquarters called in support from the F-FDTL naval component to repel the assault, which lasted several hours. At around the same time,

the residence of the Commander of the armed forces, Brigadier-General Taur Matan Ruak, came under attack, reportedly by an armed group of PNTL officers and civilians. Following these serious confrontations, a number of PNTL officers of eastern origin threw in their lot with F-FDTL, taking refuge at the F-FDTL training centre at Metinaro to the east of Dili.

8. Against this background, on 24 May, President Gusmão, Prime Minister Alkatiri and the President of the National Parliament wrote a letter to me informing me that the Democratic Republic of Timor-Leste had urgently requested police and military assistance from the Governments of Australia, New Zealand, Malaysia and Portugal. On the same day, I sent a letter to the Security Council appealing to Council members to give favourable consideration to the request of the Government of Timor-Leste for their support for the assistance the Government had requested (S/2006/319).

9. On 25 May, members of F-FDTL, reportedly accompanied by police and civilian elements sympathetic to them, launched armed attacks against the PNTL national headquarters and the PNTL Dili district headquarters. With the consent of my Special Representative, Sukehiro Hasegawa, the UNOTIL Chief Military Training Adviser contacted the Commander of F-FDTL, Brigadier-General Ruak, to urge F-FDTL to cease all firing. The UNOTIL Chief Military Training Adviser and the UNOTIL Chief Police Training Adviser then negotiated an agreement with the F-FDTL Commander, under which the PNTL officers were to be allowed to leave the PNTL headquarters under United Nations auspices, provided that they were first disarmed. UNOTIL police and military training advisers then escorted the PNTL officers from the PNTL headquarters but, after the group had walked a short distance, F-FDTL soldiers reportedly opened fire on them, killing eight PNTL officers and injuring more than 25 of the group, including two UNOTIL police training advisers.

10. On 24 and 25 May, Australia, New Zealand and Portugal sent letters to the President of the Security Council and to me stating that they would be sending defence and security forces to Timor-Leste to assist in restoring stability, as requested by the Government of Timor-Leste. Further, on 25 May, I decided to appoint Ian Martin as my Special Envoy to undertake an assessment of the situation in Timor-Leste and to facilitate dialogue among the various parties. On 26 May, incoming international forces secured the airport and other critical facilities, including the UNOTIL compound, where many Timorese had taken refuge. However, following the complete disintegration of PNTL in Dili over the preceding days, law and order broke down across the city. Organized groups of youths and criminal gangs committed widespread acts of arson and looting. Tens of thousands more Dili residents sought refuge in churches and other public places, while thousands of others fled to the districts.

11. In a presidential statement issued following a meeting of the Council of State on 29 and 30 May, President Gusmão announced that he was assuming responsibility for defence and national security in his capacity as Commander-in-Chief of the armed forces. On 1 June, following an extraordinary meeting of the Council of Ministers, Prime Minister Alkatiri announced that, in response to a request from President Gusmão, the Ministers of Defence and the Interior had resigned.

12. On the same day, President Gusmão chaired a meeting of the Superior Council of Defence and Security to discuss a plan of action for implementation of the emergency measures that he had announced in his statement of 30 May. The plan of action outlined in detail the responsibilities of the President, the Prime Minister, the Ministry of Defence, the Ministry of the Interior and the Crisis Cabinet in dealing with the emergency. Pursuant to the plan of action, an audit of weapons was carried out by F-FDTL in Baucau, Metinaro, Hera and Tasi Tolu from 9 to 11 June. The audit, which was observed by UNOTIL military training advisers and representatives of the international forces, revealed the presence in the F-FDTL armoury of weapons that had not been registered, as well as the absence of weapons that had been registered in the force's inventory.

13. Meanwhile, my Special Envoy pursued efforts to assess the situation first-hand and to foster reconciliation. In the course of his visit to Timor-Leste from 29 May to 7 June, he met a broad range of national and international interlocutors. He also visited some of those directly involved in the armed conflict. In accordance with a decision of the Council of State, my Special Representative also accompanied the Minister for Foreign Affairs, José Ramos-Horta, who had also assumed the defence portfolio, in meeting with the petitioners and Major Reinado as well as F-FDTL leaders with a view to promoting reconciliation.

14. After a meeting with President Gusmão on 15 June, Major Reinado and members of his group began handing over weapons to the international forces at an official ceremony held on 16 June in Maubisse. On 19 June, Minister Ramos-Horta conveyed a message from President Gusmão to a group of civilians led by former Falintil fighter Vincente da Conceição, also known as Railos, that the group should hand over their weapons. In a public announcement the same day, the group's leaders stated that they had received their weapons in early May on the orders of Prime Minister Alkatiri and former Interior Minister Lobato and had been instructed to use them against political opponents. They said that they would hand over their weapons only if the Prime Minister was arrested and tried by an international tribunal. The next day, the Prime Minister's Office issued a press release denying the allegations. On the same day, the Office of the Prosecutor-General issued an arrest warrant for the former Minister of the Interior for alleged involvement in the distribution of weapons to civilians.

15. That evening, President Gusmão sent the Prime Minister a letter telling him that the evidence implicating the Prime Minister in the distribution of arms required him to resign or be dismissed. A meeting of the Council of State on 21 June, which addressed the issue, ended inconclusively with a request by the Prime Minister for more time to consult with his party. On the same day, the President announced, in a message broadcast to the nation, his intention to tender his resignation to Parliament on 23 June if the Prime Minister did not accept responsibility for the current crisis and resign.

16. On 22 June, however, the Fretilin Central Committee reaffirmed its support for Prime Minister Alkatiri. In response to Fretilin's expression of continued support for the Prime Minister, Minister Ramos-Horta and a number of other ministers and officials announced their resignations on 25 and 26 June.

17. In a public statement on 26 June, Prime Minister Alkatiri announced that he was ready to resign as Prime Minister so as to avoid the resignation of the President. Later that day, the Office of the President issued a statement to the media, indicating

that President Gusmão had received Prime Minister Alkatiri's letter of resignation and had informed him that his resignation would take effect immediately. On the same day, my Special Envoy returned to Timor-Leste to lead an assessment mission (see sect. IV below) and to continue pursuing good offices on my behalf.

18. Under the Constitution, the resignation of the Prime Minister automatically results in the dissolution of the Government as a whole, although Ministers remain in office until a new Government is sworn in. The majority party in Parliament then has the right to propose a new Prime Minister, who forms a new Government. However, President Gusmão initially refused to receive a proposal from Fretilin, stating that the current Fretilin leadership lacked legitimacy, since it had been elected at the party's May congress by a show of hands instead of by secret ballot, as prescribed by the Law on Political Parties (No. 3/2004). He called on the party to hold an extraordinary congress to elect new leaders within a month, failing which he threatened to dissolve Parliament, appoint a caretaker Government and call early elections.

19. A period of stand-off between the President and Fretilin brought further insecurity in Dili. Several thousand demonstrators, mostly from western districts, had come into Dili to call for the Prime Minister's resignation. Meanwhile, several thousand supporters of Fretilin, mostly from eastern districts, gathered just outside the capital, claiming their right to demonstrate in support of their party. Former Prime Minister Alkatiri addressed the Fretilin supporters outside Dili, and the broadcast of part of his address on television sparked several hours of street protests and house burning in the city. The international forces were able to calm the situation, the anti-Alkatiri demonstrators returned to their districts, and the pro-Fretilin demonstrators came into Dili, where discipline was maintained and further violence avoided, owing in part to the actions of their leaders and in part to a major and successful operation by the international forces.

20. President Gusmão eventually agreed to enter into discussions with Fretilin representatives, after the President of the party made a public appeal for the return of weapons. Fretilin agreed to discuss the objectives of a government of transition as proposed by the President, together with possible candidates for Prime Minister and two Deputy Prime Ministers, before making any formal proposal.

21. On 8 July, after extensive consultations with the Fretilin leadership and other political parties represented in Parliament, President Gusmão announced that Minister Ramos-Horta would be the new Prime Minister. On 10 July, Minister Ramos-Horta was sworn in by the President together with two Deputy Prime Ministers, the Minister of Agriculture, Forestry and Fisheries, Estanislau da Silva, and the Minister of Health, Rui Araújo. On 14 July, the new Council of Ministers was announced. Most of its members were reappointed to their previous portfolios. Two Fretilin "reformers" entered the cabinet for the first time, one of them being José Luis Guterres, current Permanent Representative of Timor-Leste to the United Nations, who succeeded Minister Ramos-Horta as Minister for Foreign Affairs. The four other new ministers had been deputy ministers in the same ministries under the previous Government.

22. On the basis of this political compromise, the new Government has nine months to serve before the first post-independence parliamentary elections are required to be held. In his inaugural address on 10 July and in subsequent public statements, Prime Minister Ramos-Horta sough. to embrace constituencies, such as

the church and civil society, which often felt excluded by the previous Government, and pledged to pay particular attention to the needs of youth and veterans of the resistance. A main task for the Government will be to consolidate the fragile security situation. Many of the elements which gave rise to the original crisis, including the antagonisms within and between the defence and police forces as well as east/west frictions, are still at work, while the crisis itself has created new potential sources of instability, including the large number of weapons in civilian hands, tens of thousands of displaced persons, and large numbers of discontented members of the security forces, many of whom are no longer integrated into the command structure. Prime Minister Ramos-Horta and President Gusmão have both committed themselves to achieving reconciliation without sacrificing accountability for crimes committed during the past months. Some, though not all, of the opposition have said that they are willing to give the new Government the benefit of the doubt, but opposition leaders have also said that they will resume their demonstrations if former Prime Minister Alkatiri is not brought to court.

23. Timor-Leste and Indonesia continued to maintain cordial relations during the reporting period. The Indonesian Government closed the borders in late May at the height of the violence, and evacuated about 1,400 Indonesian citizens from Dili without incident. On 8 June, the Indonesian Government approved the granting of $700,000 of humanitarian aid to Timor-Leste. On 17 June, President Susilo Bambang Yudhoyono and President Gusmão, as proposed by the latter, met in Bali, Indonesia to discuss the situation in Timor-Leste. Following that meeting, two crossing points on the border were reopened to allow Indonesians and other non-Timorese with Indonesian visas to enter West Timor. On 13 July, as the new Government of Timor-Leste was being formed, Indonesia fully reopened its borders with Timor-Leste.

B. Independent Special Commission of Inquiry for Timor-Leste

24. In a letter from Minister Ramos-Horta to me dated 8 June (S/2006/391, annex), the Government of Timor-Leste invited the United Nations to "establish an independent Special Inquiry Commission" to "review the incidents of 28 and 29 April, 23, 24 and 25 May and other related events or issues which contributed to the crisis". In response, on 12 June, I requested the United Nations High Commissioner for Human Rights to take the lead in establishing such a Commission, as I informed the Security Council on 13 June. On 27 June, I wrote to President Gusmão to inform him of the appointment of Paulo Sergio Pinheiro of Brazil, Zelda Holtzman of South Africa and Ralph Zacklin of the United Kingdom of Great Britain and Northern Ireland to the Independent Special Commission of Inquiry for Timor-Leste. The mandate of the Commission includes clarifying responsibility for the events, and recommending measures to ensure accountability for crimes and serious violations of human rights allegedly committed during the period. The Commission, which began its work in July, is due to report its findings, through the High Commissioner for Human Rights, to me and to the National Parliament of Timor-Leste within three months of its deployment to Timor-Leste, by 7 October 2006.

25. In response to a request of 5 June from my Special Representative for an investigation into the 25 May incident in which two UNOTIL police training advisers were injured and nine PNTL officers died, Minister Ramos-Horta informed him, in a letter dated 5 June (S/2006/411, annex), that the Office of the Prosecutor-General had initiated an investigation into the incident. The Minister requested

UNOTIL to "make available any testimonies, any autopsy records and any other material evidence to the Office of the Prosecutor-General", and sought "additional human and material resources to enable the Office to carry out its investigations" into the incidents of 25 May and 28-29 April.

C. Humanitarian situation

26. As noted above, the political and security crisis led to the displacement of about two thirds of Dili's inhabitants due to fears for their safety and the significant destruction of private housing. As of mid-July, 72,000 internally displaced persons were receiving food aid in 62 makeshift camps scattered throughout Dili, while up to 80,000 people had fled to the countryside where they were sheltered by host families and in a very small number of camps. In Dili, men often returned to their homes during the day to secure belongings against looting and arson, and rejoined their families in the camps at night. Most of those with jobs, such as civil servants or employees of international organizations, continued to go to work during the day.

27. From the beginning of the crisis, the Inter-Agency Humanitarian Assistance Group, chaired by the Minister for Labour and Community Reinsertion, Arsenio Bano, assumed responsibility for coordinating assistance in response to the deteriorated humanitarian situation, setting an example of good cooperation between the Government, United Nations agencies and humanitarian non-governmental organizations. Although the political crisis, which led to the resignation of a number of Government officials in late June (see paras. 16 and 17 above), hampered the Government's ability to provide critical humanitarian assistance, the basic needs of the displaced population in Dili continued to be met, with support from international humanitarian organizations, under the leadership of Minister Bano. Furthermore, improvements in shelter and in the daily diet, coupled with provision of health, water and sanitation services, prevented any major disease outbreaks in camps accommodating the internally displaced population in Dili. In the rest of the country, those who fled Dili and returned to their districts of origin relied mainly on the assistance provided by the host communities. Further to inter-agency assessments which cited food as the most critical need in the districts, humanitarian agencies proceeded to supply nutritional complements to the food aid provided by the Government.

28. In the light of the deteriorated security situation, on 8 June, the United Nations Resident Coordinator, Finn Reske-Nielsen, who took up his functions in Dili on 7 June, also assumed the role of Humanitarian Coordinator. On 12 June, an inter-agency flash appeal in the amount of $19.6 million was issued by the Humanitarian Coordinator to ensure that adequate resources are available to cover essential humanitarian needs until mid-September. As at 16 July, a total of $18.3 million had been pledged or contributed by the international community. A further appeal, covering the remainder of the year, is currently under consideration.

III. Underlying causes of the crisis

29. There is overwhelming agreement that the events of the past three months constituted more than a short-term political crisis and that the situation has not been resolved simply with a change of government. The change of government has left the grievances that triggered the crisis largely unresolved, while it is widely

recognized that deep-seated problems underlay the crisis and that these problems need to be clearly identified and tackled if Timor-Leste is not to repeat the painful experiences of recent months. In speeches made at the time of the inauguration of the new Government in July, President Gusmão and the new Prime Minister, Mr. Ramos-Horta, identified underlying causes of the crisis as various as the failure of government to engage with the people, the unhealed wounds of the past and high youth unemployment. The crisis was a complex one with political, institutional, historical, social and economic dimensions. The resolution of the political stand-off merely creates an opportunity for the grievances which gave rise to it and the longer-term issues to be addressed.

30. A balanced assessment of what caused the crisis also demands that the progress made since 1999, particularly in creating institutions and building the capacity to run them, be acknowledged. While institutional failures contributed directly to the crisis, there has been a wide variation in the performances of ministries and government agencies, ranging from impressively good to very poor.

31. The past has left a deep imprint on the Timor-Leste of today. While the people of Timor-Leste are best known to the outside world for their resistance to foreign occupation over a period of 24 years that culminated in an overwhelming vote for independence in 1999 in the face of massive intimidation, the legacy of those years is a mixed one. A gulf of understanding (including in terms of educational background and language) often separates those who spent those years as resistance fighters, those who lived in Indonesian-occupied towns and villages, and those who passed the occupation years in exile. Veterans and young people are as likely to be divided by a generation gap that is the product of a conflict that lasted more than a generation and went through several distinct phases, as they are to be united by a common sense of exclusion. The violent consequences of past intra-Timorese political conflicts have bequeathed a deeply ingrained fear of any form of political contention. The fact that the resistance was regionally fragmented and operated clandestinely for much of its existence often obscured the true contributions of particular individuals and regions to the cause. The single party that has dominated politics since the elections of 2001, Fretilin, rests its claim to be the party of government as much on its standing as the original advocate of independence and its past services to the pro-independence cause as its present programme. The communal dimension to the crisis, based on long-standing frictions between easterners and westerners in the armed forces and the police and in the neighbourhoods of Dili, has been seen by some as reflecting in part a failure of the political leadership to sustain the sense of national identity that brought Timor-Leste to independence.

32. The political and institutional dimensions of the crisis are closely intertwined. The imbalance in power between the institutions of State that has allowed the executive to operate with few constraints has political and institutional as well as constitutional roots. Critics accuse Fretilin of having used its dominant position in Parliament and its superior political machinery to narrow the space available for political debate or challenge, including within the party itself. The party's use of its overwhelming parliamentary majority and the weakness of the small and fragmented opposition mean that Parliament is often not seen as an effective check on the executive. Outside Parliament, there has been antagonism between the governing party on the one hand, and the church and much of civil society on the other. The executive is also accused of politicizing or attempting to politicize the machinery of

government, most notably the institutions at the core of the crisis, F-FDTL and PNTL, and the two ministries charged with their management and oversight, the Ministries of the Interior and Defence, instead of developing an integrated strategy for the security sector.

33. The development of such norms of governance as the neutrality of civil service, the accountability of government ministers and the development of internal procedures, including disciplinary codes, requires time in a new State, but has also been hampered by politicization and centralization of decision-making. The absence of comprehensive regulatory frameworks has been particularly marked and detrimental in the security sector, where an overarching national defence policy, legislation, institutional mission statements and development plans, as well as mechanisms and procedures for coordination between the security forces, have all been absent. Capacity deficits in such areas as management, administration and policymaking have gone hand in hand with unused capacity, particularly at local level, among youth, women, traditional leaders, middle managers and those with technical skills. This failure to use available capacity, and the concentration of power and resources in Dili, have been associated with the exclusive use of the Portuguese language in most ministries and a highly centralized system of financial control.

34. While the primary underlying causes of the current crisis are political and institutional, poverty and its associated deprivations, including high urban unemployment and the absence of any prospect of meaningful involvement and employment opportunities in the foreseeable future, especially for young people, have also contributed to the crisis. Timor-Leste is one of the poorest countries in the world. After two years of growth in 2000-2001 (which was not strong enough to compensate for the estimated decline of the gross domestic product (GDP) by 38.5 per cent in 1999), the non-oil economy has stagnated. Non-oil GDP per capita has contracted in each year since, and is expected to continue declining through 2007. Social indicators remain poor: the population growth rate is the highest in the region, the number of people in absolute poverty has increased, and the incidence of infant mortality, while improved, remains high in relation to other countries in the region. The country does not produce enough food to meet the minimum consumption needs of its population, and it is estimated that approximately 350,000 people are chronically food insecure, contributing to the high levels of chronic and seasonal malnutrition. The plight of particular segments of the population has also been deteriorating: gender disparities in education and nutrition are widening, and opportunities for urban youth are particularly constrained by lack of economic growth, with urban youth unemployment at 44 per cent.

35. While oil and gas production has started to transform the country's economic prospects, the sector will not directly generate many jobs. Translating petroleum wealth into broad-based development will depend on sustained pro-poor public expenditures and investments and well-administered public sector programmes designed to deliver quality basic social services, targeting vulnerable and marginalized groups, and to create employment. Production-related sectors accounted for only 9.7 per cent of total budget sectoral allocations between 2001 and 2005 and, based on current projections, their share will remain unchanged until 2009 or 2010. Especially important in this regard are policies and public investment in agriculture, which employs about three quarters of the labour force but generates only one fifth of GDP.

IV. Assessment mission

36. On 11 June, the President of Timor-Leste, the President of the National Parliament and the Prime Minister wrote a letter to me (S/2006/383, annex), requesting that I propose to the Security Council to "establish immediately a United Nations police force in Timor-Leste, to maintain law and order ... and re-establish confidence among the people, until the PNTL has undergone reorganization and restructuring so that it can act as an independent and professional law enforcement agency". The letter stated that "a robust United Nations police, military and civilian mission is indispensable in order to assist the people of Timor-Leste to consolidate our hard won peace and freedom". In a statement to the Security Council on 13 June, read in his absence, the Minister for Foreign Affairs indicated the intention of the Government to enter into detailed discussions with the United Nations regarding the new mission in the immediate future, and stated that the main focus should be "the maintenance of a secure environment that involves, inter alia, a multinational military presence, a United Nations police force, presidential and parliamentary elections organized, administered and conducted by the United Nations and key civilian advisory positions, with some embedded in Government administration alongside capacity-building positions, so that our State institutions can be strengthened, along with civil society" (S/PV.5457).

37. In my letters of response to the Timorese leaders dated 28 June, I indicated that I was deeply saddened by the circumstances that had led to the Government's request for a strengthened follow-on mission, and agreed that it merited the highest consideration. In recognizing that, as a result of the deteriorated situation, the recommendations set out in my previous report (S/2006/251, paras. 52-54) had to be adjusted, I informed the Timorese leaders that I had requested my Special Envoy to lead a multidisciplinary assessment mission to Timor-Leste. In consultation with the Government of Timor-Leste, the mission would identify the scope of tasks that would most appropriately be undertaken by a post-UNOTIL mission and develop new recommendations on the future United Nations presence, as requested by the Council in its resolution 1690 (2006).

38. In conducting its assessment, the mission consulted with a broad cross-section of Timorese and international stakeholders in Dili and in the districts of the country, including President Gusmão, Government ministers and officials, political parties, religious leaders, civil society groups (including women's and youth groups), the international forces on the ground, representatives of international and regional bodies, donors and the diplomatic community. The United Nations Resident and Humanitarian Coordinator was an integral member of the assessment mission, which also drew upon the Organization's institutional knowledge from its prior presence in the country, including that of UNOTIL and the United Nations country team, as well as work done by other international and bilateral partners.

39. In developing recommendations on a comprehensive and integrated approach by which the United Nations might further carry out its role in the country, the assessment mission faced a number of constraints. First, as noted in section II above, the political and security situation in Timor-Leste remained extremely fluid during the mission. Secondly, consultations between the assessment mission and the Government aimed at forging consensus on the assistance to be provided by the United Nations were limited by the fact that the resignation of Prime Minister Alkatiri and the dissolution of the Government coincided with the mission's arrival,

while the new Government of Prime Minister Ramos-Horta was formed only after it left. Hence, some of the recommendations set out in the present report may need to be reviewed as discussions with the new Government proceed and the situation on the ground stabilizes.

V. Sustained commitment and a coordinated approach

40. The assessment mission concluded that a number of key principles should underlie its recommendations for a new mission. First, the development of institutions in a new State emerging from conflict requires not only skilled personnel but also the establishment of institutional systems and standards as well as norms and values based on democratic principles. This is inevitably a long-term process. A renewed commitment by the international community to assist the country in this process must correspondingly be a long-term one. Thus, the intention in establishing a new mission must be to renew its mandate over a period of years, even if some of its initial components can be withdrawn or reduced as security improves and elections have taken place. Moreover, the overall assistance of the international community needs to extend for many years beyond the lifetime of a new mission, sustained by the United Nations Development Programme (UNDP) and other United Nations agencies, funds and programmes as well as bilateral and multilateral development partners. Second, the planning for the new mission should recognize that there has been a considerable degree of success in the development of many aspects of governance in Timor-Leste; it is thus not necessary or desirable to revert to the comprehensive involvement of a United Nations mission in all aspects of governance. Third, a transfer of responsibility for various areas of support from UNOTIL to the United Nations agencies, funds and programmes and other development partners has already been planned and is in progress, and this should not be reversed now, only to be reversed again towards the end of the mandate of the new mission. Finally, and most importantly, notwithstanding the immediate focus on security issues, the understanding of the underlying causes of the crisis must increase the focus on economic and social development, reaching, in particular, the marginalized and disenfranchised populations in the rural districts.

41. A successful transition process over the period of the mission's mandate and beyond will therefore not be dependent on the efforts of the new mission alone, but will rest on the combined efforts of the Timorese leadership and institutions and the support of the broader international community, with financing from national resources as well as bilateral and multilateral cooperation. A focused transition and longer-term recovery framework which harnesses all these capacities will be needed. At present, Timor-Leste has a national development plan and a series of sector investment programmes which operate as the framework for international assistance. Many of the Government and donor programmes developed before the crisis address central challenges of poverty reduction, human resource development and institution building, and form a strong basis on which to build. A process of reflection, though, is needed to draw lessons on what has and has not worked, review the new priorities emerging from the crisis, and factor these into a common platform for recovery.

42. This can be thought of as a Timorese-led "compact" between Timor-Leste and the international community, entailing a reorientation of the existing national development plan and external financing framework, as required, to address the

crisis and its causes, and to ensure that the new mission's activities and resources are complemented by and coordinated with the Government's own budget resources and bilateral and multilateral cooperation programmes. The compact would be characterized by: (a) shared Timorese-international commitment; (b) clear priorities; (c) clear roles, responsibilities and accountabilities identified for Timorese institutions, the new mission, and bilateral and multilateral programmes; (d) shared resourcing, encompassing allocations from the Government's own budget, development partners and the new mission; and (e) strong coordination mechanisms. Consultations with Timorese leadership and donor representatives have indicated strong support for this approach.

43. Immediate priority programmes, in addition to the ongoing national development plan, have already been developed through the Government budget process, and further consultations between the Government, civil society and donors will take place in the near future. It is expected that the priority areas will include electoral support and consolidation of democratic institutions; national reconciliation; public safety, disarmament and security sector capacity-building; strengthened communication with civil society organizations and Timorese society at large; support to justice and rule of law and promotion and protection of human rights; humanitarian assistance and rebuilding of houses destroyed during the violence; programmes to address delivery of basic services (health, education, water and sanitation); and programmes to address the creation of livelihood opportunities, with particular attention to exclusion and youth unemployment, and to bring visible results in the districts. These priority programmes would all involve a combination of Government funding and bilateral and multilateral funding, in addition to support, as required, from the new mission and the wider United Nations family. Close coordination to ensure that actions on both the Timorese and the international sides of the compact stay on track will be critical. Subject to a Government request, the new mission, with the support of the World Bank and other partners, should assist in establishing a multisectoral forum in Dili to bring together all actors involved in the compact. The compact would include the Timorese State organs, civil society and international diplomatic and donor representatives to confirm the priority programmes in the compact and regularly monitor progress thereafter. It will be important to ensure that the immediate priority programmes feed into the next longer-term development planning exercise of the Government, which is expected to take place in 2007.

44. The definition of priority activities and the roles of different partners will allow for clear identification of any gaps in the political, security and development assistance needed for sustainable peacebuilding. Within this framework, the new mission should be clearly focused on the agreed priorities, while playing the key role in the coordination of the overall assistance from the international community.

VI. Priorities for a new mission

A. Political good offices and reconciliation

45. The current crisis has generated considerable uncertainty about the political future of Timor-Leste, including as regards conditions for the holding of elections scheduled for 2007. Immediate political concerns pertain to the viability of the new

Government, the power imbalance between the ruling Fretilin party and other political parties, and the extent to which the Constitution is being tested by different interpretations introduced by various parties. Following consultations with a broad range of Timorese interlocutors, the assessment mission concluded that my Special Envoy's efforts will require sustained follow-up within the framework of the new mission in the form of continued facilitation and good offices in support of political dialogue and community reconciliation.

46. It is essential that strategies for coping with the immediate situation are accompanied by strategies addressing deeper sources of tension through a process of political dialogue and community reconciliation that is agreed to and defined by key national players. If left unaddressed, longstanding grievances and the lack of sufficiently inclusive mechanisms for addressing them will undermine the present fragile stability.

47. The new Government plans to initiate a broadly inclusive national dialogue involving all sectors of society and aimed at bridging divides at the local, regional and national levels. Recent events, however, have fragmented and weakened the capacity of the political leadership to bring all relevant stakeholders together in a process of dialogue and consensus-building. A neutral space and a process through which the most potentially dangerous divisions can be identified and addressed are therefore needed. It is essential that such a process be Timorese-led and Timorese-owned. The church, in particular, is widely regarded as having a major contribution to make to this dialogue.

48. However, consultations with Timorese interlocutors confirmed that the crisis has generated a greater desire among many Timorese political and community leaders for the United Nations to support Timorese efforts to further political dialogue and community reconciliation, sensitively and with full respect for national sovereignty. The new mission can, through its good offices, political facilitation and, as appropriate, mediation, support these national efforts and, through sustained engagement with all the key players, assist in overcoming the continuing political and security crisis. These efforts should be aimed at fostering a political and security environment that is conducive to the holding of presidential and parliamentary elections and to the establishment of sustainable peace and security. Continued monitoring and analysis of political developments at the national and local levels is essential to the exercise of effective good offices and facilitation.

49. Within the scope of its good offices and political facilitation, the new mission should draw on the experience and expertise of partners to support the design and implementation by Timorese actors of an integrated approach to political dialogue and community reconciliation. This approach would include: (a) identifying existing and potential institutional resources that could be mobilized to promote dialogue and reconciliation at national and local levels; (b) securing popular participation, including that of women and youth, in these mechanisms; (c) deepening the population's understanding of key issues facing the country and providing space for debate, in close coordination with State institutions, political parties the church and civil society; (d) supporting the development of mechanisms for reconciliation that have gained meaning in people's lives because of their customary basis and proven effectiveness; (e) creating mechanisms that can operate in a neutral environment and through which parties in conflict can explain their positions, address their differences and jointly develop strategies for resolving them; and (f) supporting the

development of capacity-building for key institutions and assessing progress in strengthening the capacity to resolve conflicts. In addition, women's skills as peacemakers and peacebuilders should be utilized and strengthened so that they may participate in and lead community reconciliation and healing efforts.

B. Electoral support

50. Under the Timorese constitution, elections for the Presidency and Parliament must be conducted before 20 May 2007, when the terms of both expire. As stated in my report of 18 August 2005 (S/2005/533, para. 17), the Government, in a letter from the Minister for State Administration to the Electoral Assistance Division of the Secretariat, requested international assistance in the drafting of the electoral legislation for the 2007 elections and the provision of electoral management and information technology experts. In response to that request, and as indicated in my report of 20 April 2006 (S/2006/251, para. 11), UNOTIL provided an electoral management adviser, an information technology adviser and a short-term legal drafter to the Government. In addition, as indicated in my report of 17 January 2006 (S/2006/24, para. 23), an electoral assistance needs assessment mission was sent to Timor-Leste in November 2005 to review the electoral environment in the country and identify issues that needed to be addressed to ensure credible elections in 2007. Subsequently, in letters from then Prime Minister Alkatiri (S/2006/39, annex), then Foreign Minister Ramos-Horta (S/2006/157, annex) and President Gusmão (S/2006/230, annex) dated 17 January, 2 March and 2 April 2006 respectively, the Government requested a continued United Nations presence in Timor-Leste beyond the expiration of the UNOTIL mandate to ensure, inter alia, that the first post-independence elections would be held in a free and fair manner. The multidisciplinary assessment mission took account of those requests and of the observations and findings of the electoral needs assessment mission of November 2005 in considering what electoral assistance should be provided within the framework of the new mission. In my previous report (S/2006/251, para. 50), I indicated that transparency of the electoral process and the conduct of the 2007 elections in a credible manner, with maximum participation of the Timorese electorate, would directly affect the legitimacy of the outcome of the elections. This has now become a greater and even more crucial challenge.

51. The current political crisis has further damaged confidence in the impartiality and capacity of relevant State institutions, including the Technical Secretariat for Electoral Administration and the National Elections Commission. While the Technical Secretariat had built sufficient capacity to conduct local elections, which were held in five phases in 2005, nearly all Timorese interlocutors agreed that international assistance would be required for the nationwide elections. It should be recalled that the national elections in 2001 had been held with substantial support from the United Nations Transitional Administration in East Timor (UNTAET). Further, during the local elections, the Technical Secretariat, which is part of the Ministry of State Administration, was regarded by minority parties and some segments of the population as being closely associated with the ruling party and not as an impartial entity. The National Elections Commission was created through the local election law to meet the constitutional requirement that an independent electoral body should supervise the electoral process, but sufficient funding was not provided to ensure its effectiveness. Its members were not salaried and received

inadequate administrative support. Moreover, the Commission was an ad hoc body which ceased to exist after the local elections process ended. The new National Elections Commission to be established for supervision of the 2007 elections should be adequately funded, well staffed, and provided with the necessary technical assistance and clear legal mandate to ensure the credibility of the electoral process.

52. In my previous report (S/2006/251, para. 8), I also noted the concerns of various political actors regarding the lack of available information on a number of electoral policy matters, such as the electoral calendar and the electoral law. The electoral needs assessment mission stressed the importance of wide consultations on electoral policy issues prior to the drafting of the electoral law to ensure that the law reflects, to the extent possible, the views of all relevant Timorese stakeholders. In this regard, the Minister of State Administration had indicated to UNOTIL and the multidisciplinary assessment mission that the draft electoral law should be submitted to Parliament, where "wide consultations" could take place, in time for the President to review and endorse it in December 2006. Accordingly, in early May 2006, the Government submitted two draft electoral laws to Parliament, one governing the parliamentary election and the other the presidential election. No separate law was introduced for the establishment of a new National Elections Commission, although provisions to create the independent electoral body were included in both the draft parliamentary election law and the draft presidential election law. At its 11 July plenary session, the National Parliament announced that Fretilin had resubmitted the two draft electoral laws since, under the Timorese Constitution, all draft laws before Parliament become invalid following the dissolution of the Government which submitted them. On 18 July, opposition parties submitted their own draft electoral laws for the consideration of Parliament. The laws governing the electoral process will need to be adopted by October 2006, as will any law providing for the establishment of a new National Elections Commission, particularly if the latter is to supervise the voter registration process, which should commence by early November for elections to take place by April/May 2007. The selection process and the standing of the Commission's members should engender confidence among the Timorese that it can competently and independently supervise the electoral process.

53. The assessment mission held consultations with all political parties and with civil society organizations, and heard a wide range of views on the timing and sequencing of the presidential and parliamentary elections. Some Timorese interlocutors expressed a preference for holding presidential elections before the parliamentary elections, while others, including the Minister for State Administration, indicated a preference for holding parliamentary elections before the presidential elections, particularly on account of the possible need for a run-off. Administrative and financial considerations would favour holding both elections on the same day. While the assessment mission was in Timor-Leste, calls for early elections in 2006 were made by a number of Timorese actors, including President Gusmão. There were concerns regarding the holding of elections during the rainy season from November to March, and the assessment mission highlighted the numerous challenges faced in terms of preparations, concluding that it would not be feasible to hold early elections. Challenges to be addressed include a post-crisis political environment that has fractured the polity; lack of full public confidence in the Government-administered electoral process; precarious security conditions and institutions; internal displacement and a climate of fear and distrust among elements

of the population; the lack of a legal framework to govern the electoral process and the need for an inclusive consultation process; capacity needs and mandate deficits of the electoral authorities; lack of resources of opposition political parties; unreliable voter identification databases and a need to issue new voters' cards; and widespread need for impartial information about elections and related governance issues. The assessment mission emphasized to Timorese authorities, political parties and civil society that adequate time, preparation and consultations are necessary in order to overcome these challenges prior to the holding of credible elections. A decision representing as much consensus as possible on the sequencing and dates of the elections will also be required.

54. In addition to providing the requested technical and logistical support to the electoral process, the new mission, in consultation with relevant Timorese stakeholders, will need to address the issue of how to promote political confidence in the electoral process. The assessment mission consulted its interlocutors on four options regarding the extent of possible United Nations involvement in the electoral process: the provision of technical electoral assistance; observation of the electoral process; "certification" of the electoral process; and United Nations-administered elections. A United Nations-administered electoral process would make only a limited contribution to building local capacity to hold fair and transparent elections in the future. The best alternative way to afford strong guarantees of the integrity of the electoral process would be through a United Nations "certification" of the electoral process. If requested by the Government, this could be implemented through the deployment of a small United Nations team to Timor-Leste at the end of each phase of the electoral process to determine whether it had proceeded in a satisfactory manner. A positive certification by the team, on the basis of benchmarks to be determined prior to the beginning of the electoral process, would be a precondition for commencement of the successive phase. Should this approach be endorsed, the following electoral areas would be subject to the certification mechanism: (a) legal framework; (b) electoral authorities; (c) voter registration; (d) political party and candidate registrations; (e) campaign period; (f) polling day activities; (g) ballot tabulation procedures; and (h) adjudication of challenges.

55. Alongside this certification process, technical assistance should be provided, as requested by the Government, through the new mission's electoral component, in cooperation with UNDP. The mission's electoral officers would provide assistance in the areas of general election administration and policy advice; legal framework (including regulations and procedures); voter registration and information technology; gender issues, including promoting the equal participation of women; operational planning and logistics; training; and field operations. Assistance will be provided, mainly through the administration of justice unit of the mission, but in close coordination with the electoral component, to strengthen and widely publicize electoral adjudication mechanisms so that electoral complaints, appeals and offences are dealt with in a transparent and expeditious manner. UNDP, whose activities would be funded through voluntary contributions, would focus on training of national and international observers and party agents; procurement; provision of assistance for civic and voter education activities in collaboration with the new National Elections Commission and the Electoral Assistance Division; training and material assistance to political parties through the establishment of political parties resource centres as appropriate; and long-term capacity-building extending beyond the 2007 electoral process. The chief electoral officer of the new mission and UNDP

would also need to closely coordinate the full range of international electoral assistance, including from bilateral and other multilateral sources, to ensure coherence of advice and avoid duplication of efforts.

C. Security sector support

1. Overview

56. Institutional failures in PNTL and F-FDTL are at the core of the recent crisis in Timor-Leste. Following the departure from their barracks of nearly 600 members of the 1,400-strong F-FDTL, predominantly from the western districts, and the violent confrontations in April and May between the remaining members of the force, on the one hand, and the F-FDTL rebels, members of the police and civilians, on the other, F-FDTL ceased to be a fully functioning national force. It has also incurred the mistrust of many Timorese who previously respected it as the legatee of the armed wing of the independence movement, Falintil. Since those events, the remaining members of the force have effectively been cantoned in Dili, Metinaro and Baucau.

57. The makings of the internal crisis of F-FDTL, however, go back to its creation and the recruitment of its first battalion in February 2001. The perceived bias towards Falintil members from the east in the recruitment of the first battalion and the selection of the force's high command was only partly offset when the second battalion was recruited in 2002-2003. The new intake was more western than eastern, but its youth excluded it from senior command positions and created a generation gap in the force. The recent departure of nearly a third of the force's members has accentuated the regional imbalance in its composition. There is no clear national consensus on the nature and scale of the changes that need to be made in F-FDTL as a result of recent events, but all the assessment mission's interlocutors expect that the force will continue to exist in some form.

58. The early problems of F-FDTL have been further exacerbated by the failure to develop a legal framework governing its activities, mechanisms for civilian oversight and an overarching national security policy. The insufficient provision of resources to F-FDTL is, to a significant extent, the result of the extremely weak institutional development in the Ministry of Defence. Legislation and internal procedures for the regulation of the force and the Ministry itself are almost entirely lacking, resulting in inadequate civilian oversight of the force. Allocated resources for the development of the Ministry, including provision for professional posts to be staffed by Timorese, have not been utilized. International advisers have reportedly worked at cross-purposes. In the absence of a body which could provide the focus for the coordinated development of the security sector as a whole (such as the National Security Council which existed during UNTAET), the relative deprivation of F-FDTL became a source of growing tensions both within the force and in its relations with PNTL.

59. The national and Dili district headquarters of PNTL disintegrated following the violent events in April and May, as did the special police units stationed in Bobonaro, Ailеu and Baucau districts. A significant number of PNTL headquarters and other command staff as well as members of special police units were involved in the violence. The assessment mission conducted a comprehensive review of the structure and performance of PNTL throughout the country with a view to

identifying the causes of the breakdown of law enforcement, particularly in Dili, and areas of poor service delivery.

60. The review clearly indicated that, while real progress has been made in certain areas of Timorese policing capacity since 2002, particularly the operational policing aspects, the institutional framework of PNTL remains weak. The Ministry of the Interior not only neglected the institutional development of PNTL but failed to build the Ministry's own capacity, particularly in the areas of policy development, planning, budget development and legislative affairs, and regularly interfered in policing activities at all levels, including in police operations and personnel decisions. The Ministry often intervened arbitrarily in disciplinary, recruitment and promotion proceedings. The misuse of the promotion system has resulted in a top-heavy organization that lacks critical capacities at the middle and lower management levels. Further, the Ministry procured weapons, in particular long-barrelled weapons, without strict regard to actual policing needs and did not adequately manage their safe and secure distribution.

61. The administrative and organizational weaknesses of PNTL, combined with repeated political interference by the Ministry of the Interior, have seriously affected the overall effectiveness, professionalism and credibility of the national police force. The provision of international assistance to PNTL since 1999, although substantial, was insufficiently coordinated and not tailored to adequately support its institutional development in the longer term. Further developmental assistance is required in the areas of finance, budget planning and execution, procurement, supply and maintenance, communication systems and fleet management. In addition, the organizational structure of the police headquarters has become overly complex while the creation of several special police units has reduced the allocation of much-needed resources to support general and community-oriented policing activities.

62. The assessment mission's analysis of the status of F-FDTL and PNTL made clear that the difficulties in both institutions are interconnected. For that reason, to effectively overcome the recent crisis, a holistic approach to the security sector will be required that coordinates reform efforts in the areas of policing and defence. In this respect, the assessment mission recommends a comprehensive review, involving all relevant parts of the Government and civil society, of the future role and needs of the security sector, both those of F-FDTL and PNTL. The review should assess the threats facing Timor-Leste, both internal and external, and the options for development of the sector. It should also address the real difficulties that have confronted the sector to date, including the tensions between F-FDTL and PNTL, and ways in which the relationship between the two can be changed from a competitive to a cooperative one.

2. Support to the armed forces and the Ministry of Defence

63. Prior to the crisis, President Gusmão, in his letter of 2 April (S/2006/230, annex), requested Security Council authorization for the United Nations to deploy 8 to 10 international advisers to assist in strengthening institutional capacity-building in the area of defence. On 7 July, Mr. Ramos-Horta wrote, as Coordinating Minister, to my Special Envoy requesting five civilian advisers for the Ministry of Defence and four military advisers for F-FDTL. The new mission, together with bilateral advisory programmes, should be able to provide advice in the areas of finance,

budgeting and procurement; in human resource development, including promotions, separation, code of military discipline and training; in helping to ensure that the development of F-FDTL is consistent with its long-term strategic objectives; and in helping to ensure that the approach to security sector reform is holistic, integrating the needs of both F-FDTL and PNTL and monitoring the development of related oversight mechanisms. The mission's role is most likely to focus on the overarching framework for the development of F-FDTL and PNTL, in particular their role as national institutions and appropriate oversight mechanisms for them, and on limited assistance in key areas such as human resource management. Bilateral cooperation programmes are likely to provide for other institutional development and training needs. Further specific advisory needs are likely to be identified by the proposed review.

3. Support to the national police force and the Ministry of the Interior

64. In accordance with the 11 June letter from the Government of Timor-Leste (S/2006/383, annex), and on the basis of the findings of the assessment mission, the main role of the new mission in the area of policing would be twofold and performed within the framework of an overriding executive policing mandate. First, in the immediate interim phase, the mission would, as requested, support the Government by maintaining law and order through the provision of executive policing as may be necessary throughout the country, including areas of return of internally displaced persons, and in initiating a phased reconstitution of PNTL. Second, the mission would advise and support the Government in the reform, restructuring and rebuilding of its police service and the Ministry of the Interior. While executive policing and the reconstitution of PNTL would take priority during the first months of the mission, consultations, planning and preparations for the reform, restructuring and rebuilding of PNTL would proceed simultaneously to promote the institution's rapid recovery. Such activities would be aimed at building up and supporting a credible local police presence that would, inter alia, facilitate the voluntary return of internally displaced persons to their residences and communities, which is a priority concern at this critical stage, and instil greater public trust in PNTL as an impartial and dependable security provider.

65. In its executive policing role, the mission's police component would adopt a community-oriented approach to policing, working closely with PNTL while engaging with civil society and the public at large. It will be critical to clarify basic aspects of policing arrangements with the Government, including command and control arrangements between the United Nations police and PNTL at the central and district levels, which the assessment mission was not able to do since it departed prior to the inauguration of the new Government. Further negotiations between the United Nations and the Government of Timor-Leste should be finalized prior to the deployment of the new mission in order to agree on the modalities of these arrangements. In taking on executive policing functions, the mission would, of course, regularly consult with the Government on matters relating to performing general policing operations and ensuring the maintenance of the overall law and order situation.

66. In collaboration with the Ministry of the Interior, United Nations police officers would conduct a census and identification of all PNTL personnel, beginning in Dili. All members of PNTL would be issued provisional identification cards except for those officers alleged to have been involved in human rights abuses or

criminal conduct, who would be put on administrative leave until such allegations were reviewed. Those members of PNTL with identification cards would progressively resume their activities, working alongside United Nations police officers in day-to-day policing.

67. In order to address the institutional weaknesses of PNTL, it is proposed that the new mission assist in developing the operational and administrative capacity of PNTL; strengthening its operational independence, internal accountability structures and procedures and external oversight mechanisms; and establishing institutional means for coordination with the defence sector. The extent and nature of the mission's involvement in these areas would vary depending on needs, as well as the extent of assistance provided by bilateral and multilateral partners. Consistency and coherence of international support would be critical to ensure overall effectiveness.

68. Ongoing United Nations efforts to strengthen the operational capacity of PNTL and to improve the quality of its personnel should continue under the new mission. Such efforts would particularly focus on assisting PNTL in rationalizing its organizational structure and operational capacity; designing and implementing a comprehensive vetting and certification programme; contributing to specialized training programmes in all relevant policing thematic areas, including human rights and leadership training schemes; and building a strong, on-the-job mentoring programme for leadership positions and promoting the participation of women in PNTL both at headquarters and in the districts. Insofar as insufficient logistical support, lack of resources and inadequate administrative systems significantly constrain the operational functioning of PNTL, it would be essential for the force's communications and information systems, fleet management and maintenance, budget and finance, power supply systems and other critical logistical functions to be reinforced in order to strengthen PNTL as an institution. I would therefore appeal to donor partners to provide the assistance required to strengthen the administrative capacity of PNTL so as to enhance its operational effectiveness. At the same time, I would recommend that an administrative support team of expert civilian advisers be established within the new mission's police component to assist PNTL in identifying critical gaps, ensuring a coherent approach to the development of its administrative capacity and attracting donor support.

69. In order to restore the service's credibility and ensure effective and fair law enforcement, the operational independence of the PNTL would have to be established. Internal accountability mechanisms, such as the PNTL Professional Ethics Office, as well as external oversight and support structures, would need to be strengthened. This would require, in particular, granting full operational authority to the General Commander of PNTL; introducing merit-based appointment and promotion procedures; and building an effective internal discipline system that is independent from the Ministry of the Interior and yet transparent to the general public. A key priority would be to enhance the capacities of the Ministry of the Interior, including in respect of policy development, planning, legislative drafting, budget development, procurement, inter-ministerial relations and public information. Legislative changes would also be needed to remove any authority for operational policing and police personnel management from the Ministry. Other important oversight mechanisms that would need further strengthening include the Parliament, the Office of the Provedor for Human Rights and Justice and the Office of the Inspector-General. While the new mission would not have direct responsibility for implementation of assistance in all these areas, it should

nevertheless play a key advisory and advocacy role and facilitate and coordinate international support from bilateral and multilateral partners.

70. In the period leading up to and during the 2007 elections, the United Nations police would assist the Government and PNTL in providing a secure environment in which credible elections can take place in all districts. Central to this role would be the need for United Nations police officers to provide training and expertise for the development of a comprehensive election security plan, addressing both pre-election and post-election security scenarios. It would be important to ensure community input to and awareness of security measures to be implemented by the United Nations in cooperation with PNTL in support of peaceful and orderly elections.

4. International military support

71. The most pressing threat to continued stability results from numerous police and some military weapons that have not been accounted for and are presumed to now be within the community under the control of both individuals and organized groups. A United Nations police component would require the support of a small United Nations military component to support, reinforce or replace police capacity when specific military capability is required. The presence of illegal weapons in Dili creates a threat to mission protection that can be addressed by a moderate level of static armed protection.

72. Notwithstanding the harmonious relationship between Timor-Leste and Indonesia at the political level, there have been several volatile border incidents over the preceding seven months. On three occasions, in late 2005 and early 2006, impartial intervention by unarmed UNOTIL military officers prevented an escalation of violence among border communities. The risk of occasional violence in the border region is increased by the limited resources and support afforded to the PNTL Border Patrol Unit. The presence of former refugees residing in border districts inside West Timor continues also to be a potential cause for instability. Former militia members live among these displaced communities but are not currently assessed to be a direct threat to peace and security in Timor-Leste.

D. Promotion of human rights and justice

1. Human rights and transitional justice

73. The crisis has involved serious violations of human rights. The violent events in April and May resulted in at least 37 persons killed, more than 150 injured and some 150,000 persons displaced. There have been threats to individuals and families on the grounds of their political or regional affiliation, along with significant damage to property, particularly looting and burning of houses in Dili. Arbitrary arrests and detention by the armed forces has been another issue of grave concern in the course of the crisis.

74. There is a broad recognition among the Timorese population of the need for accountability for those who committed human rights violations during this period and those with responsibility for the crisis. Overwhelming support for the establishment of the Independent Special Commission of Inquiry reflects a broader concern shared by many regarding the emergence of a culture of impunity in Timor-Leste, which has its roots in the politicization of police and armed forces, political

interference in the administration of justice and weak discipline and oversight mechanisms in the security sector. These challenges preceded the current crisis and point to a longer-term need for strategic United Nations involvement in combating impunity and strengthening the justice system and national structures for accountability and human rights protection, alongside the need for corresponding short-term strategies prior to the 2007 elections.

75. The varying responses of national human rights institutions, notably the Office of the Provedor for Human Rights and Justice, and of Parliament and civil society to the recent crisis have shown that, while human rights capacity-building efforts have borne fruit in some areas, stronger checks and balances are required. In this respect, the Office of the Provedor and non-governmental human rights organizations, which formed a joint monitoring network to address the consequences of the crisis, have shown remarkable commitment and capacity in difficult circumstances. At the same time, further efforts should be made to enhance local capacity to monitor the human rights situation, both in Dili and the districts, and to advocate on sensitive human rights issues, such as preventing political interference in the security sector, to prevent a recurrence of recent events. The Office of the United Nations High Commissioner for Human Rights, working through the human rights component of the new mission, intends to provide further assistance in these areas, with particular focus on the protection of the rights of vulnerable groups affected by the crisis, including women, children and youth. Raising national awareness of human rights through human rights treaty reporting and empowering rights-holders to understand and be able to claim their rights will further contribute to the national reconciliation process and to the creation of an appropriate political climate for the holding of credible elections.

76. UNTAET established mechanisms of transitional justice to address serious human rights violations in 1999 and before, including the serious crimes process and the Commission on Reception, Truth and Reconciliation (CAVR), and the United Nations continued to assist these after 2002. The resurfacing of divisions that pre-dated 1999 has highlighted the need to address the past as part of the nation-building process. The assessment mission found that the demand for justice and accountability for the serious crimes committed in 1999 remains a fundamental issue in the lives of many Timorese. Among the outstanding issues relating to serious crimes is the prosecution of defendants apprehended for such crimes following the closure of the Serious Crimes Unit and the Special Panels for serious crimes in May 2005. There are also numerous investigations into serious crimes committed in 1999 that were never completed, owing to the termination of the investigative process in November 2004. There is a need for the Office of the Prosecutor-General, with international assistance, to determine the scope and order of investigations to be completed into outstanding serious crimes cases and to bring those investigations to a conclusion. An immediate issue is the need for the Office of the Prosecutor-General to determine the scope of loss or damage to serious crimes records in its custody during the unrest of May 2006.

77. Equally important is the need for reconciliation and community healing in relation to the serious crimes committed in 1999. In this regard, there is potential to build upon the precedent set by the community reconciliation programmes of the Commission on Reception, Truth and Reconciliation and the nationwide consultations held to promote public understanding of its final report. The Parliament, however, has not yet considered the Commission's recommendation to

establish a follow-on institution to continue some of the work it initiated in this area.

78. In my separate report on justice and reconciliation for Timor-Leste (S/2006/580), I recommend the establishment of a United Nations solidarity fund to collect voluntary contributions from Member States for the purpose of funding a "community restoration programme" and a "justice programme" in Timor-Leste. The community restoration programme would be specifically devoted to supporting efforts to provide for victims of serious crimes committed in 1999 and their immediate relatives through collective and individual restorative measures, as well as through reconciliatory measures. The justice programme would provide, inter alia, for the establishment of a team of experienced investigative personnel, led by an international serious crimes investigator, to resume the investigative functions of the former serious crimes unit and complete investigations into outstanding serious crimes cases of 1999, and for international assistance in the justice and rule of law sector to strengthen the capacity of relevant institutions to prosecute the serious crimes committed in 1999, as requested by the Government of Timor-Leste. The completion of such investigations would assist the Office of the Prosecutor-General in prosecuting these outstanding cases.

2. Administration of justice

79. In my previous report (S/2006/251, para. 14) I noted that the justice sector remains one of the most critical areas in need of continuing assistance. The crisis has added significantly to the challenges confronting the justice system and thus to the need for international assistance.

80. The assessment mission found that the most notable achievement in the development of the judicial sector has been the establishment of a Judicial Training Centre that provides education and professional training for candidates who will serve as national judges, prosecutors, public defenders and court administrators. The Centre, which continues to receive technical support from UNDP, also provides instruction in the Portuguese language, which is the working language of the country's court system. There is wide recognition among Timorese court actors of the value of additional training, and improvements in the operation of the Centre have advanced that goal. The first class of 27 members to complete 18 months of legal training at the Centre were sworn in as probationary officers in June 2006.

81. While this institution constitutes a key element in the development of the judicial sector, serious challenges remain. The justice system, and especially the court system, is highly centralized with little delegation of authority or responsibility. As a consequence, decision-making is often delayed or neglected, generally at the expense of efficiency. This centralization, combined with an insufficient emphasis on development of institutional capacity, has also impaired the development of management structures and administration, which is largely accomplished on an ad hoc basis. Moreover, it has had a negative impact on the development of ownership by actors at all levels of the justice system. Issues of leadership and management also exist within the prosecution, where the quality of decision-making is variable and does not reflect a coherent vision. Additionally, there are significant logistical challenges in the justice sector owing to the remoteness of some communities and unaddressed difficulties associated with such matters as the service of court notifications and the transportation of prisoners to

court. Most courthouses are adequate for the requirements of the judicial system and largely well-maintained, but there is virtually no courthouse security and no provision for assistance to witnesses and victims. This has a particularly devastating effect on women and children.

82. Although there has been progress in developing the capacity of justice system actors, little has been done to encourage ownership by the trainees over their professional formation. In this respect, the assessment mission noted, with concern, a lack of clear vision as to how the probationary stage of training will proceed, in which trainees will perform the line functions associated with their career path as judge, prosecutor or public defender. Similarly, no clear terms and conditions have been established for determining the selection of successful candidates for office at the end of the process.

83. The completion of the criminal and civil procedure Codes is a positive development, but steps must be taken to ensure that there is coherency in the national legal framework. Legislation is often prepared by different groups, including international advisers, with no evident mechanism for harmonizing their work. The separation of drafting tasks has produced delays in numerous areas, including the organic law to organize the Office of the Prosecutor-General, legislation regarding the organization of the legal profession, and legislation relating to domestic violence and other gender justice issues.

84. Fluency in Portuguese remains low throughout the court system, and the transition to Portuguese is widely considered to be the greatest challenge facing the development of the judicial system. Since Tetum is in practice the working language of most court actors, a language plan that provides intensive language training for all judicial system actors should be developed, funded and implemented as a matter of urgency. New legislation, drafted in Portuguese, requires appropriate official translations in Tetum to ensure widespread access to these laws.

85. The assessment mission also noted a serious lack of public confidence in the justice system, in part generated by low expectations from the period of Indonesian occupation, but also due to the inadequate performance of the justice system to date. Women and minors, in particular, have experienced difficulties accessing the justice system. The processing of criminal cases by the prosecution and the courts is perceived as inefficient and ineffective. At its worst, the process is perceived as being subject to the influence of third parties. The defence function is weak, both in the office of the public defender and the private bar. Further, there is a widespread perception that the justice system generally fails to hold criminal wrongdoers to account or to provide adequate recourse in civil disputes.

86. Recent events present additional challenges to the justice system. The first relates to the large number of defendants taken into custody during the period of turmoil who will be subject to continuing judicial proceedings. In the event of further disturbances, the number would increase, and, in any event, the increase in the international police presence in Dili may result in more arrests and prosecutions. Politically sensitive cases resulting from recent events which have already been opened or may follow from the investigation by the Independent Special Commission of Inquiry will place substantial demands on the justice system and, as noted by the Government, the additional direct involvement of international judges, prosecutors, defence lawyers and court administrators with appropriate experience will be required.

87. As noted in paragraph 78 above, in my report on justice and reconciliation for Timor-Leste, I recommend the establishment of an experienced investigation team, led by an international serious crimes investigator, with sufficient resources to resume the investigative functions of the Serious Crimes Unit and complete investigations into outstanding serious crimes cases of 1999 in a timely fashion. This team would be part of the Office of the Prosecutor-General. As serious crimes defendants who were previously indicted but arrested after the closure of the Special Panels for serious crimes proceed to trial, the need for additional international judges, prosecutors and defence lawyers with appropriate experience will further increase.

88. The assessment mission concluded that the challenges to the justice system are so considerable and of such critical importance that an independent, comprehensive review and analysis of the justice sector should be undertaken. This review should involve all relevant parts of the Government and civil society, and should result in an overarching strategic plan to guide further development of the system.

89. The prison system has a low prisoner population and stable staffing, and has experienced few incidents that jeopardize community security. However, the absence of a comprehensive development strategy, including a coherent strategy for building the capacity of management staff, combines with infrastructure and institutional weaknesses to weaken the security of the prisons and reduce the capacity to manage any increased and hardening prisoner population. These challenges, which pre-date the current crisis, may be exacerbated by the possible increase in judicial system activity resulting from the crisis and the deployment of a United Nations police force, as requested by the Government of Timor-Leste. The new mission, through the inclusion of a prison advisory capacity, should facilitate processes for addressing these shortcomings.

90. The assessment mission concluded that the UNOTIL transition strategy to transfer to UNDP international personnel provided to the judicial sector by the United Nations should proceed and include all line personnel, with the sole exception of the team of serious crimes investigators in the Office of the Prosecutor-General which, as a core international responsibility, should be funded from the budget of the new mission. The mission itself should have a small team to advise on assistance needed for the overall development of the judicial system, including justice system issues impacting the mission, gender justice and the management of serious crimes investigations and issues, and to facilitate linkages among the elements of the criminal justice system and with other sectors. This unit would also facilitate the proposed independent review.

E. Institutional capacity-building, governance and development

91. Poverty and its attendant deprivations, high unemployment and the lack of foreseeable opportunities, have been underlying contributors to the recent conflict. As poverty and inequality rates have continued to rise, it becomes critical to help ensure that the Government has the necessary capacity to deliver services. Otherwise, the potential for further violent conflict remains. The national development plan emphasizes that the private sector will be key to kick-starting the process of economic growth and employment creation. However, this is unlikely to happen in the near future. In the immediate term, there is a need to develop an

integrated employment policy that focuses on agriculture and infrastructure development and to institutionalize the ongoing cash/food for work programmes on a larger scale, targeting women and unemployed youth. To tackle the disenfranchisement of youth, there is also a need to ensure their inclusion and participation in development discussions addressing issues such as life skills and livelihood education. There is a need to harness their energies productively to contribute to the development of their communities and neighbourhoods. Care needs to be taken to ensure that quick-impact programmes are implemented within the framework of medium to longer-term development strategies. Public investment will be a critical driver of both growth and employment, and may well be instrumental in inducing private investment.

92. Although economic growth is a necessary condition for sustained poverty reduction, equally important is the nature of this growth process. If increased economic activity is accompanied by increasing inequality, it will have little chance of reducing poverty; rather it may exacerbate it. What is needed is pro-poor, broad-based growth that is equitable and can create employment for Timor-Leste's growing labour force. In this context, policies and public investment that foster growth in the agriculture sector are especially important. Most of the poor in Timor-Leste are engaged in agriculture, which employs around three fourths of the labour force. However, productivity is low, and agriculture generates only one fifth of gross domestic product. In addition, it is particularly important to improve income-generating opportunities in the rural areas. This requires considerable investment in roads, power and water infrastructure, agriculture extension and information programmes and the fostering of rural credit programmes. It is equally important to simplify the regulatory framework for the private sector and to accelerate work on land and property legislation and regulation, allowing private entrepreneurs to play a stronger role in generating employment.

93. Overall, Timor-Leste has achieved remarkable progress in State-building over the six years that have elapsed since the tragic events of 1999. With support from the international community, the country has established much of the institutional infrastructure that constitutes the core of a democratic State. Until the emergence of the recent crisis, State institutions had been able to carry out their functions regularly, albeit with varying degrees of performance. Nevertheless, State institutions have not been able to overcome fundamental problems in the areas of governance and capacity development. While the time to build human and institutional capacity has been limited, other constraints have also emerged. These have included, among others, lack of a sufficiently developed democratic culture and practices; uneven success in translating progress in State building into human development, including reduced poverty, inequality and unemployment rates, especially among the youth; inadequate access to formal education and other basic health and social services; highly centralized decision-making systems across all organs of the State; and inadequate formal and informal consultation and communication mechanisms. A report entitled "Strengthening accountability and transparency in Timor-Leste" published in April 2006, prepared by experts from the United Nations, the World Bank and the Government of Finland, highlighted the extent to which the key institutions of governance can be made more transparent and accountable.

94. The 100 advisory positions in United Nations Mission of Support in East Timor (UNMISET) and the subsequent 45 similar positions in UNOTIL, together

with international advisers provided through UNDP and by bilateral partners, have undoubtedly contributed to capacity development efforts in many areas. However, many stakeholders are critical of the returns. Apart from problems linked to the short-term nature of United Nations missions vis-à-vis the long-term challenge of capacity development, the provision of advisers was often based more on the suggestions of individual ministers than on an independent technical evaluation of the needs of ministries and other Government entities, affecting the willingness of some advisers to offer independent professional advice representing international good practice. Further, the procedures for recruitment of international advisers, although transparent, did not always succeed in identifying candidates with the required skills set and the ability to transfer skills and knowledge to their national counterparts. A preference for advisers fluent in Portuguese is understandable, but it limited the pool of candidates. UNMISET and UNOTIL established performance benchmarks but were not equipped to carry out rigorous performance evaluations based on substantive, technical criteria.

95. The assessment mission concluded that the current context no longer generally justifies the inclusion in a new mission of a number of civilian advisers to be allocated to various State institutions. Nevertheless, continued support will need to be provided, within the framework of the new mission, for the further development of democratic governance in Timor-Leste, focused on three key priorities: the strengthening of the four organs of sovereignty (the executive, the presidency, the parliament and the judiciary) and their interrelationships; the further development of the legal framework in a coherent manner as a necessary condition for the consolidation of the democratic process; and the governance of the security sector. In addition, support will need to be provided for socio-economic development and effective implementation of the national development plan. Such support will be provided through focused, independent advice to relevant Timorese institutions to be imparted from within the mission (see paras. 127-129 below), rather than through the placement of international advisers within Timorese institutions. Long-term capacity-building by international advisers within State institutions, with the aim of strengthening democratic governance and service delivery and promoting human development, should be provided, where necessary, through UNDP and bilateral or multilateral partners, within the framework of the compact described in paragraphs 41 to 44 above. The combined efforts of the new mission and development partners should focus not only on the building of human and institutional capacity, but also on actively seeking to impart the norms, values and culture of democratic governance. Adequate measures should be taken to ensure that recruitment and contract renewals are undertaken on technical and professional grounds.

F. Humanitarian support

96. The assessment mission concluded that an improvement in the overall humanitarian situation would depend in large part, on the general perception by the Timorese population that the political crisis has been definitely overcome, illegal weapons have been removed from communities, and security and the rule of law have been firmly restored. Should the recent political developments result in a widespread public perception that the crisis has been resolved, this would encourage most displaced persons in Dili to return voluntarily to their homes. Under this scenario, humanitarian agencies will need to plan and facilitate the voluntary return

of displaced persons to areas where security has been restored, including through the provision of food, water, sanitation and basic services, while the new mission will have to ensure the presence of security and police forces in those areas of return. In addition, the results of a recent rapid assessment in the districts indicate that there will be a need to support the supply of food, water and sanitation and essential items to districts where internally displaced persons have relocated until they feel safe to return to Dili. The new mission may thus be required to facilitate the delivery of humanitarian supplies to districts where access may be difficult, including through the use of assets at its disposal.

97. In terms of assessing and planning for the humanitarian needs, it is important to consider that the crisis has affected a population that, given poverty, food insecurity and relatively limited access to Government services for many people, is extremely vulnerable. Timor-Leste suffers from chronic food shortages and, on average, approximately 350,000 Timorese per year do not meet their minimum nutritional requirement of 2,100 kcal per day. This is particularly pronounced during the lean season from October to March. This food insecurity contributes to the extremely high levels of both chronic and seasonal malnutrition among the population. Given the continued potential for disturbances and the significant seasonal vulnerabilities, it is important that continued assessments be carried out to determine the needs over the next six months. These assessments should be combined with contingency planning to ensure that the Government and humanitarian agencies have the necessary capacity to respond to humanitarian needs in the coming months.

98. Should the political crisis persist, however, internally displaced persons will probably remain in the camps, with more leaving Dili for the districts, thereby increasing the burden on local communities and district administrations. At the same time, minor or major secondary displacements may be triggered by the dissemination of arms among civilians or if communal tensions along the east/west divide persist. Closer to the elections, in particular, further frictions might emerge and provoke secondary displacements of population. Under this scenario, sufficient human and financial resources will be required to support the Government's efforts to provide humanitarian assistance to internally displaced persons and other affected populations, such as host families, for an extended period of time. While a sustained international effort will be needed to address any such long-term population displacement, the Government of Timor-Leste should contribute financially to the humanitarian efforts and avoid undue dependency on external humanitarian partners and donors.

G. Gender

99. The mass displacement of people that resulted from the crisis has had particularly adverse effects on women and children, including premature labour and vulnerability to sexual abuse in overcrowded camps. The ongoing humanitarian response should thus address the security and protection needs of women and children and involve them in the planning, management and delivery of humanitarian assistance and psychosocial support to heal their trauma.

100. Security Council resolution 1325 (2000) on women and peace and security emphasized the importance of ensuring the full involvement of women in all aspects

of promoting and maintaining peace and security and in peacebuilding, and the need to increase their role in decision-making. The lack of political power and absence from decision-making of Timorese women and youth, though, has placed them at the periphery of efforts to build peace and resolve the crisis. Yet, women and youth, in their various roles, including as mothers, sisters and daughters, are in a unique position to contribute to peacebuilding efforts, community healing and the disarmament of civilians, and so it is critical that they be fully involved in such efforts. Male youth, on the other hand, have been agents of violence, including in the destruction of property and looting. The politicization of youth organizations and martial arts groups, coupled with unemployment, limited access to education and a feeling of hopelessness about the future, has made youth particularly vulnerable to external influences. The involvement of youth in peacebuilding and community healing is thus crucial for sustainable peace.

101. Timorese women make up almost a quarter of the civil service. Nevertheless, a gender imbalance exists across all grades, with a higher proportion of men at all levels. Only two positions at the senior management level are occupied by women. Although women have 26 per cent representation in the national Parliament, their contribution to formulating gender-sensitive laws is limited. Lack of adequate gender sensitivity among the leadership of Parliament and political parties compounds this problem. United Nations support for the parliamentary and presidential elections offers enhanced opportunities for inclusion of affirmative action and gender equality policies in the electoral law; targeted civic and voter education for women and youth (with coverage to the outlying rural areas); gender sensitization of political party leadership and inclusion of women's concerns into their party platforms; strengthening of women's sections in political parties; and strategies to enhance women's participation in the electoral process, both as candidates and voters. Incentives for political parties to field female candidates in the elections should also be considered in political party financial support. Further, United Nations electoral assistance should ensure gender parity in the deployment of polling staff, as well as gender expertise in the electoral assistance team. It is also important for the United Nations to provide critical capacity-building support for the Office for the Promotion of Gender Equality and local government structures to address gender-related concerns.

102. Women currently comprise 20 per cent of PNTL. Additional efforts, however, will be required to maintain or increase that level of representation, particularly as the number of female recruits decreased to six per cent in the last training round. It is also important to diversify the range of functions performed by female officers, and to promote the integration of gender perspectives in capacity-building efforts at all levels, including senior management. Gender-sensitive conditions of service are important in the recruitment, promotion and retention of female officers. Similarly, in F-FDTL, recruitment of women remains low, and there have been allegations of discrimination in the treatment of women, including lactating mothers. Any review of F-FDTL thus needs to ensure gender expertise in the assessment team, as well as an assessment of gender concerns relating to the operational aspects of F-FDTL, including standards of promotion and the treatment of female personnel who have given birth.

103. It is of critical concern that gender-based violence continues to be the most frequently reported crime in the country. Yet, less than a quarter of cases reported to the police are sent for prosecution. Lack of clarity in the roles of the police and

prosecutors in investigating cases has often resulted in the presentation of inadequate evidence, leading to the dismissal of cases of gender-based violence and violence against children. Decisions and sentences by judges are often marred by deficiencies such as non-application of international standards and lack of gender sensitivity and awareness of children's rights, with sentences often not reflecting the seriousness of the crimes committed. Moreover, domestic violence is usually seen as a private matter, and reported cases are most often mediated. A draft bill on domestic violence has been discussed at the Council of Ministers but is yet to be sent to Parliament due to delay in the issuance of the penal code. The limited access of women and children to justice, due to prevailing attitudes, is compounded by the weakness of the justice system. Gender and child protection expertise is needed to address these issues in the new mission and in the United Nations country team as appropriate, including in the context of the proposed review of the judicial sector (see para. 88 above). Further, the Vulnerable Persons Unit of PNTL, while a central mechanism for victim support, especially for victims of gender-based violence (including crimes against children), is under-resourced and has a high turnover of staff. Increased efforts are thus required to strengthen this Unit. It is clear that gender and child protection expertise and representation are critical within the new mission's police component, and contributing countries should be required to deploy such expertise in their contingents.

104. A key element for the success of the new mission will be building national ownership through an inclusive consultative process. To this end, it is important that communication strategies should be in place from the outset that target information needs of women and men, girls and boys, from urban and rural areas alike, and include alternative forms of communication to promote understanding of such critical areas as the electoral process, security sector reform and the zero tolerance policy on sexual and child abuse and exploitation.

H. Public information and outreach

105. Experience of previous violence has left the Timorese population traumatized and easy to alarm, while absence of reliable information sources leaves it susceptible to rumour. Both tendencies have been evident in the recent crisis. This is exacerbated by the fact that, despite substantial international investment, the media sector in Timor-Leste is currently unable to provide a regular and objective source of information to its population. This is a product of a number of factors, including irregular supply of electricity, lack of adequate professional training, lack of remote transmitters and repeaters, and the degradation of the existing communications infrastructure. Neither electronic nor print media are reliably received outside of Dili. The national public television and radio network, Radio Television Timor-Leste (RTTL), remains an independent and generally respected source of information. However, the quality of the coverage varies widely, and RTTL was generally perceived by the population to have performed inadequately during the current crisis. In addition, certain elements in Government have recently sought to influence coverage by RTTL despite explicit constitutional provisions safeguarding its editorial independence.

106. Frequency modulated (FM) broadcast remains the primary electronic means for dissemination of public information in Timor-Leste. While no current comprehensive audience survey data exist, RTTL claims that about 60 per cent of

the total population has access to its broadcast signal. The transmitters for five of the 13 districts (Ainaro, Lautem, Manufahi, Covalima and Oecussi) are currently non-functional. While there is also a network of 19 community radio stations, five of them are currently off the air. Although short wave signals reach most of the country, much of the population outside of Dili does not have access to radio broadcasts of any kind. In terms of television, the only local station is the public broadcaster Television Timor-Leste (TVTL), but the signal reaches only Dili and its immediate environs, as the Baucau transmitter is currently non-operational. Radio Televisão Portuguesa is currently implementing a bilateral project, due to be completed in March 2007, which will expand the reach of the national public broadcast signal to five district capitals outside of Dili (Baucau, Maliana, Oecussi, Suai and Los Palos).

107. As regards print media, there are three newspapers, the *Timor Post*, the *Diario Nacional* and the *Suara Timor Lorosae*, which currently produce daily editions in Dili, but distribution outside of Dili is irregular and frequently delayed by up to several days. There are, in addition, a number of other periodicals that are currently publishing intermittently. The Internet has limited relevance as a domestic public information tool as access is extremely limited in Dili and all but non-existent in the districts. However, text messaging is widely used, serving as an instant communications tool for political parties, civil society groups and the diplomatic community.

108. The assessment mission concluded that, given the current politically charged environment in Timor-Leste and the importance of civic education to the forthcoming elections, the public information component will need to play a central role in the new mission. It should implement a strategic communications campaign designed to explain the work of the mission, provide an objective and reliable source of information, build local media capacities and distribution capabilities, support voter education, promote reconciliation and counter misinformation. Facilitating community-wide access to accurate and broad-ranging information will be key to achieving this goal. A more comprehensive diagnostic of the current media environment, with particular focus on listener/audience data, should be undertaken as soon as possible. In carrying out its work, the public information component of the new mission should, to the fullest extent possible, rely on already existing distribution and production networks and communications systems, utilizing external partnerships and bilateral arrangements to help build sustainable local capacity.

VII. Recommendations for a new United Nations mission in Timor-Leste

109. As envisaged by Security Council resolution 1690 (2006), and on the basis of the findings of the multidisciplinary assessment team, I recommend the establishment of a United Nations multidimensional, integrated mission in Timor-Leste with a mandate, concept of operations and structure as described below. In support of this recommendation, on 4 August, Prime Minister Ramos-Horta wrote a letter to me (S/2006/620, annex), indicating that "there is consensus among all stakeholders that the situation in Timor-Leste requires the establishment of a United Nations multidimensional and integrated peacekeeping mission".

A. Mandate

110. I recommend that the mandate of the new mission include the following:

(a) To support the Government of Timor-Leste and relevant institutions with a view to consolidating political stability, enhancing a culture of democratic governance and facilitating political dialogue among Timorese stakeholders;

(b) To assist the Government, the Office of the President and other institutions of Timor-Leste in their efforts to bring about a process of national reconciliation, including through good offices, and to foster social cohesion aimed at bridging divides at all levels;

(c) To support Timor-Leste in all aspects of the 2007 presidential and parliamentary electoral process, including through technical and logistical support, electoral policy advice and certification or other means, in order to ensure that the elections meet international standards and that the electoral process has broad national support and participation, and to provide an impartial international presence throughout the electoral period and assistance with the voting and vote counting process and the announcement of the election results;

(d) To ensure, through the presence of United Nations police with an executive policing mandate, the restoration and maintenance of public security in Timor-Leste through the provision of support to the Timorese national police (PNTL), with whom they will be co-located; to assist with the further training, institutional development and strengthening of PNTL and the Ministry of the Interior; and to assist in the planning and preparation of electoral-related security arrangements so as to adequately prepare the national police to perform their roles and responsibilities during the conduct of the 2007 elections;

(e) To support the Government of Timor-Leste, through the impartial presence of United Nations military liaison officers, in liaising with the Indonesian military and to assist the Border Patrol Unit of the Timorese national police in the planning and conduct of border security operations in preparation for and during the 2007 elections, in order to facilitate a peaceful and secure environment on the border for the conduct of credible elections;

(f) To assist the Government, through the provision of advisers, in strengthening institutional capacity-building and development in the area of defence, including the Timorese armed forces (F-FDTL) and the Ministry of Defence;

(g) To support the Government and relevant Timorese institutions in designing poverty reduction and economic growth policies and strategies with a view to achieving the Millennium Development Goals enshrined in the national development plan;

(h) To assist, along with other partners, in further building the capacity of State and Government institutions in areas where specialized expertise is required, such as in the defence and justice sectors, and to promote a "compact" between Timor-Leste and the international community for coordinating Government, United Nations and other multilateral and bilateral contributions to priority programmes;

(i) To assist in further strengthening the national institutional and societal capacity and mechanisms for the monitoring, promotion and protection of human

rights and for promoting justice and reconciliation, including for women and children, and to observe and report on the human rights situation;

(j) To assist in the implementation of the recommendations in my report on justice and reconciliation in Timor-Leste, including to assist the Office of the Prosecutor-General of Timor-Leste, through the provision of a team of experienced investigative personnel, to resume the investigative functions of the former Serious Crimes Unit and complete investigations into outstanding cases of serious human rights violations committed in the country in 1999;

(k) To facilitate the provision of relief and recovery assistance and access to the Timorese people in need, with a particular focus on the segments of society in the most vulnerable situation, including the internally displaced and women and children;

(l) To mainstream gender perspectives and those of children and youth throughout the mission's policies, programmes and activities and, working with United Nations agencies, funds and programmes, support the development of a national strategy to promote gender equality and empowerment of women, ensuring women's rights and women's full and equal participation in all processes of Government and State administration;

(m) To provide objective and accurate information to the Timorese people, particularly regarding the forthcoming 2007 elections, while promoting an understanding of the work of the United Nations mission, and to assist in building local media capacity;

(n) To ensure the security and freedom of movement of United Nations and associated personnel, and protect United Nations personnel, facilities, installations and equipment and humanitarian assets associated with the operation; and

(o) To cooperate and coordinate with United Nations agencies, funds and programmes and all relevant stakeholders, including the international financial institutions and donors, in carrying out these tasks.

111. I recommend that the mission be established for an initial period of 12 months, until after the implementation of the results of the 2007 elections, during which regular progress reports would be submitted to the Council. Subsequently, I recommend that the mission be authorized for further periods of 12 months, with periodic reviews with respect to the size of its different components.

B. Structure

112. To fulfil the mandate of the mission, as detailed in paragraph 110 above, a strong civilian component, including a United Nations civilian police element of substantially greater strength than in UNOTIL, with the support of a small United Nations military component, would be required. The mission would operate under the leadership of my Special Representative, who would also serve as the head of mission. The Special Representative would liaise with the Timorese authorities and other stakeholders, international and regional organizations, international financial institutions, bilateral and multilateral donors and the diplomatic community. The Special Representative would provide good offices to the Timorese authorities at all levels, as required. The Special Representative would also have overall authority

over other United Nations activities in Timor-Leste in support of the mission's mandate, and would provide leadership, political guidance and support to the United Nations system in this regard. The Special Representative would be assisted by a senior management team comprising among others, two deputies, a police commissioner, a force commander and a chief administrative officer.

113. The Special Representative would be supported, as part of his/her office, by a political affairs unit, a planning and best practices unit, a legal affairs unit, a conduct and discipline unit, a public information and outreach unit, a joint operations centre, a joint mission analysis centre, a resident auditor's unit and a senior gender adviser. A Deputy Special Representative for Security Sector Support and Rule of Law would have responsibility for the security sector support unit, the human rights and transitional justice unit, the administration of justice support unit, the civilian police component, the military component, the United Nations security section and the administrative support section, and would act as chief of mission in the absence of the Special Representative. A Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, also serving as the Resident and Humanitarian Coordinator, would have primary responsibility for the electoral unit, the democratic governance support unit, the economic development support unit and the donor resource mobilization and coordination unit, as well as the HIV/AIDS adviser. The chief of staff of the Special Representative would be responsible for procedural coordination within the mission, channelling communication between the Special Representative and all components of the operation, and for the day-to-day management of the office of the Special Representative.

1. Security sector support

114. The mission would adopt a holistic approach to security sector support and link its activities in the area of policing with assistance to the defence sector. Under the direct responsibility of the Deputy Special Representative for Security Sector Support and Rule of Law, a security sector support unit would be established to provide advice on overall governance of the security sector, including both police and defence reform. It would link mission security sector-related activities with those of partners, and facilitate international assistance in this area. The unit would advise on the reform and development of the Ministry of the Interior, in close consultation with the mission's police component. The unit would also advise on the reform and development of the Ministry of Defence and F-FDTL and on veterans affairs. The unit would include senior advisers on public safety governance, defence reform and veterans affairs who would directly report to the Deputy Special Representative. The advisers in both the Ministry of Defence and F-FDTL (see para. 63 above) would report to the senior adviser on defence reform and would assist the Ministry of Defence and F-FDTL in such critical areas as policy development and planning; procurement and budgeting; and human resources and training.

2. Police component

115. To perform the functions described in paragraphs 64 to 70 above, it is recommended that up to 1,608 United Nations police personnel be deployed to Timor-Leste in the period leading up to, during and after the 2007 elections and inauguration period. This figure would include up to 1,108 police officers to

maintain law and order throughout the country as necessary; to advise and assist in the reform, restructuring and rebuilding of PNTL and related administrative functions; and to assist the Timorese police in ensuring security during the pre-election and post-election phases. These 1,108 police officers would include up to 455 officers in the district of Dili to support the PNTL national headquarters and district police stations as well as the United Nations police headquarters and operations centre. Outside the district of Dili, 640 officers would be required; three of the 12 PNTL district headquarters outside Dili would be staffed with up to 17 officers each, while the other nine district headquarters would be staffed with up to 13 officers each. At the subdistrict level, it is recommended that up to eight officers would be required at each of the 59 police stations. Thirteen police officers would be specially designated to focus on advising and assisting the PNTL special border and rapid intervention police. Finally, 500 of the 1,608 personnel would be engaged in four formed police units consisting of 125 officers each. Two such units would be based in Dili and one each in the west and the east of the country. Special efforts should be made to include women police officers in the police component.

116. After the elections, approximately 600 police officers would be gradually phased out of the mission. The exact extent and pace of downsizing would be decided on the basis of a post-election diagnostic assessment to determine the overall operational effectiveness and efficiency of PNTL as well as the security situation. The United Nations formed police unit capacity would also be downsized to one unit of 140 personnel, which would remain in Dili.

3. Military component

117. In the light of the volatile security situation, which is partly attributable to the increased presence of illegal arms among the civilian population, the mission would need to include a small military capacity to contribute to the maintenance of a secure and stable environment, and would need to operate under sufficiently robust rules of engagement. Taking account of the continued presence of the Combined Task Force, and its likely drawdown, it is proposed that the mission's military component would (a) provide security to the mission headquarters in Dili; (b) provide a rapid response force based in Dili that can assist the United Nations police when their capacity is overstretched or when the threat exceeds their public security capabilities; (c) provide liaison with the international security forces, particularly during the transitional period leading to the full deployment of the mission; and (d) provide impartial feedback and advice to security forces on the border with Indonesia to reduce the likelihood of tensions and community violence in adjacent districts, particularly during the electoral period. The military component would also assist, through the mission's joint operations centre and joint mission analysis centre, in monitoring and verifying the security and law and order environment, and in developing mission strategies to prevent and deter the escalation of security threats.

118. In his letter of 4 August addressed to me (S/2006/620, annex), Prime Minister Ramos-Horta stated that, taking into account that "the emergency phase has passed and that the current arrangements regarding the international forces need to be reviewed", the new Government "deem[s] necessary that along with a strong civilian component, the new mission should have a police force of considerable strength to allow for adequate deployment throughout the districts and subdistricts, backed by a small military force, under the command and control of the United

Nations". In order to accomplish these tasks, it is proposed that the military component would consist of up to 350 armed and unarmed troops of all ranks, and would be concentrated in Dili, with the exception of unarmed liaison officer teams in the border districts of Covalima, Bobonaro and Oecussi. On full deployment, there would be two Dili-based armed companies, with one to maintain security for critical mission premises and properties. The other company would be based at Dili airport to provide a military quick reaction force, with one platoon equipped with armoured vehicles and up to two platoons able to be deployed rapidly to reinforce or militarily strengthen police forces throughout the country in response to imminent or actual threats. A military liaison group, comprising 22 unarmed officers, would be deployed to coordinate security tasks with the international security forces and to establish a continuous presence in the three border districts, alongside armed United Nations police officers assigned to district police stations.

119. The military component would deploy in a sequential manner, in close coordination with the international security forces of the Combined Task Force that are currently present in the Dili area. The initial phase of deployment would include the military component's headquarters, specialist officers to serve in the joint operations centre, the joint mission analysis centre and the joint logistics operations centre, support units, and unarmed liaison officers to develop the current UNOTIL military training advisers group into a military liaison group. The second phase would involve the deployment of the two armed companies that would then be followed by the anticipated transfer of military authority from the Combined Task Force to the mission's military component once sufficient United Nations police capability (including formed police units) becomes operational in Dili. Once this transfer of authority has taken place, the Combined Task Force would withdraw its remaining elements, except for any that would immediately transfer to United Nations authority. It is expected that the military component would be required until elections are held and for an appropriate time thereafter.

4. Civilian component

(a) Political affairs

120. A political affairs unit would provide political advice and assessments to the Special Representative as well as the mission as a whole. In support of the mission's good offices and political facilitation functions, the unit would have adequate capacity to monitor, analyse and report on political, civil, social, economic and other relevant developments in Dili and throughout the regions. Such a capacity should focus on developments pertaining to governance and the legislative process, political parties and elections, the security sector, community reconciliation, civic and political communications and social and economic questions. In order to ensure adequate coverage, particularly in the period leading to elections, such a capacity should be established in the regions as well as in Dili. The unit would also assist the Special Representative and other senior management in their contacts with Timorese authorities, political parties and civil society organizations; maintain close liaison with relevant stakeholders, including the wider United Nations system and the diplomatic community; fulfil the mission's reporting requirements; and provide inputs, as appropriate, for the dissemination of public information of a political nature.

(b) Planning and best practices

121. The planning and best practices unit would support the Special Representative of the Secretary-General in his/her planning for the mission, including the development and updating of the mission implementation plan, and would ensure that lessons learned and good practices are taken into account throughout the conduct of the mission.

(c) Elections

122. The electoral component, reporting to the Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, would be headed and managed by a chief electoral officer who would give policy guidance on all United Nations electoral assistance activities. The component would include electoral officers providing assistance and advice to the Technical Secretariat for Electoral Administration and the National Elections Commission in Dili as well as in the districts and subdistricts. Most of the electoral officers would be co-located with their national counterparts at the Technical Secretariat and the Commission.

123. It is envisaged that approximately 35 international electoral advisers would be deployed, together with about 108 United Nations Volunteers at the district and subdistrict levels. Given that the Director of the Technical Secretariat informed the assessment mission, on 8 July, that the Government would request 250 United Nations Volunteers to be deployed nationwide three months prior to the elections, there will likely be a second-phase deployment at that stage. The Government's request also envisages substantial international involvement in the counting process. If the United Nations is requested to assume a certification role, an electoral certification assessment team including two senior experts will need to visit Timor-Leste on at least five different occasions. An adequate level of national staff will also be needed, including to support the certification team with transport and interpretation.

(d) Legal affairs

124. A legal affairs unit would provide advice to the Special Representative of the Secretary-General with regard to all aspects of the mandate of the mission. The unit would also provide advice on any legal issues that might arise concerning the substantive activities of the mission. Furthermore, the unit would provide advice on issues relating to the administrative and legal arrangements for the mission, such as those concerning privileges and immunities, the provision of any Government-owned premises to the mission, any third-party claims against the mission, procurement matters and the interpretation or application of United Nations regulations and rules.

(e) Human rights and transitional justice

125. The mission would include a human rights and transitional justice unit, reporting to the Deputy Special Representative for Security Sector Support and Rule of Law, which would have a promotion, monitoring and protection mandate. To fulfil this mandate, the unit would, inter alia, monitor and report on the human rights situation; provide support for strengthening the Timorese institutional and societal capacity for the monitoring, promotion and protection of human rights; and assist the Timorese authorities to ensure accountability for human rights abuses and

redress for victims. The unit would ensure effective follow-up to and implementation of the recommendations of the Independent Special Commission of Inquiry and those of other transitional justice mechanisms. The unit would also contribute to strengthening the human rights monitoring capacity of the Office of the Provedor for Human Rights and Justice as well as local non-governmental human rights organizations, particularly in the districts, and provide support for human rights training and education programmes. Together with the civilian police component, the human rights unit would also be responsible for assisting in strengthening the internal discipline mechanisms of the Timorese police. The unit would work closely with all components of the mission, particularly the police, military, and gender adviser, in order to ensure that human rights and protection policies are integrated into the overall political strategy and programmes of the mission. The Office of the United Nations High Commissioner for Human Rights would provide substantive and methodological support to the unit in all phases of the mission.

(f) Administration of justice

126. The administration of justice support unit, reporting to the Deputy Special Representative for Security Sector Support and Rule of Law, would include three positions (the judicial, gender justice and prison advisers) to provide advice on issues relating, inter alia, to the overall development of the justice system and serious crimes investigations. The advisers would also facilitate linkages between the elements of the criminal justice system and other sectors and advise the mission leadership on related legislative matters. All current UNOTIL capacity dedicated to supporting the performance of line functions in the justice sector should be transferred to the UNDP justice programme, which would, in turn, need to include an enhanced component to enable serious crimes defendants to be prosecuted, facilitate the prosecution of high-profile, politically sensitive cases related to the recent crisis, and address the backlog of ordinary crimes cases.

(g) Democratic governance

127. In order to ensure a strong link between the mission and the broader development community on governance issues, and to advise my Special Representative on democratic and institutional developments in Timor-Leste, it is proposed that a small democratic governance support unit be established, reporting to the Deputy Special Representative for Governance Support, Development and Humanitarian Coordination. This unit would include five to six positions to advise on broader governance issues (such as functioning of the organs of sovereignty) and one position to advise on youth-related issues.

128. Primary responsibility for coordinating institutional and individual capacity-building efforts would rest with the relevant Government sectors and be linked to their respective sector investment plans and capacity development plans. However, the democratic governance support unit (as well as other components of the mission), working in close cooperation with development partners, would assist the Government in developing the longer-term strategy within which capacity development would take place, within the context of the broader "international compact" framework.

(h) Economic development

129. In order to ensure a strong link on economic development issues between the mission, the Government and its partners, it is proposed that an economic development support unit be established under the Deputy Special Representative for Governance Support, Development and Humanitarian Coordination. This unit would be responsible for advising the Deputy Special Representative on support to the Government on poverty reduction and economic growth policies and strategies in order to promote the goals of the national development plan. This unit would include, inter alia, advisory capacity in the areas of macroeconomics, pro-poor policies and fiscal policy matters.

(i) Humanitarian affairs

130. The mission would also include a donor resource mobilization and coordination unit, reporting to the Deputy Special Representative for Governance Support, Development and Humanitarian Coordination. The unit would assist the Deputy Special Representative, in his/her capacity as Resident and Humanitarian Coordinator, in providing the necessary coordination with national institutions and between United Nations agencies, funds and programmes, donors, non-governmental organizations and other components of the mission to ensure complementarity of relief assistance and recovery efforts, including in addressing the humanitarian aspects of the crisis.

(j) Gender

131. In line with Security Council resolution 1325 (2000) on women and peace and security, and considering the situation of women and girls in Timor-Leste, the new mission should seize the opportunity to build on and strengthen ongoing programmes to address gender-related issues and concerns prevalent among the population. Given the cross-cutting gender dimensions of the crisis and the priority needs and challenges facing the country, gender expertise is needed in each critical substantive area of the mission, including electoral assistance, the security sector, human rights, administration of justice and governance. In addition to specialized gender experts in these areas, a senior gender adviser would be included within the office of the Special Representative to facilitate, support and provide technical guidance to mission managers and staff across all components to ensure coordination in gender mainstreaming efforts in all activities. The gender adviser and gender experts in the respective mission components would also assume an external liaison role, working closely with the United Nations Development Fund for Women (UNIFEM) and other United Nations agencies, funds and programmes in helping the Timorese authorities and the Office for the Promotion of Equality, as well as civil society actors (including women's groups) and other national stakeholders, to address gender inequalities and needs in the various sectoral areas. Given the issues at stake, it would be critical that the senior gender adviser and gender experts collaborate closely with the human rights unit and the HIV/AIDS adviser as well as UNICEF child rights experts in the United Nations country team. Issues related to sexual exploitation and abuse of women and children would be addressed by a conduct and discipline unit in the office of the Special Representative.

(k) HIV/AIDS

132. In line with Security Council resolution 1308 (2000), the mission would include an HIV/AIDS adviser to assist in mainstreaming of HIV/AIDS programming throughout all components, policies and programmes of the mission, including by developing, implementing and monitoring an HIV/AIDS training, awareness and prevention strategy for the mission to reduce the risk of HIV transmission.

(l) Public information and outreach

133. A public information and outreach unit would implement a strategic communications campaign designed to explain the mission's work, provide an objective and reliable source of information for the Timorese population, build local media capacities and distribution capabilities, support voter education, promote reconciliation and counter misinformation. The public information unit would be configured around four sub-units based in Dili consisting of (a) a media relations/public affairs cell responsible for speaking on behalf of the mission, coordinating press events, providing information to the local and international press and media monitoring; (b) a multimedia cell responsible for television and radio programming and the maintenance of a high-content web page, a multilingual "phone bank" dial-in information system, and a broadcast text messaging system to provide instant updates and counter misinformation and rumour; (c) a print cell which will, in close coordination with the multimedia cell, use local contracts and partnerships to produce posters, banners, stickers, newsletters, flyers, newspaper inserts and other relevant print materials; and (d) an outreach and distribution cell which will implement public outreach activities and distribute all public information products.

134. The public information and outreach unit, while based in Dili, would need to maintain a limited field presence in Baucau (sub-headquarters), Maliana, Suai and Oecussi. In addition, the public information unit would field two small mobile teams, one based in Dili and the other in Baucau, which would be assigned to visit all regional capitals and major subdistrict towns on a regular basis.

(m) Joint operations and joint mission analysis centres

135. A joint operations centre, consisting of civilian, police, military and United Nations security personnel, would collect and collate operational information from all parts of the mission and provide, as part of its core functions, mission-level operations coordination in support of priorities determined by the Special Representative. The joint operations centre would also serve as a crisis management centre, as necessary, for the Special Representative and senior mission staff.

136. A joint mission analysis centre, consisting of civilian, police, military and United Nations security personnel, would analyse and synthesize information from all sources and provide, as part of its core functions, high-level risk assessments to the Special Representative and advice on appropriate responses thereto.

(n) Administration

137. An administrative support component of the new mission would be headed by a chief administrative officer, reporting directly to the Deputy Special Representative for Security Sector Support and Rule of Law. The support component would be responsible for the establishment and maintenance of the

essential physical and administrative infrastructure to enable the implementation of the mandate, as well as for the provision of administrative and logistical support and security arrangements for all personnel within the mission, including the necessary communications, ground transport and air assets to enable their mobility. The support component would rely on integrated administrative and support services to meet the logistical, material and administrative requirements of the mission for optimal effectiveness and efficiency. The mission would share common premises and common services with United Nations agencies, funds and programmes whenever possible in order to enhance coordination and increase cost-effectiveness.

C. United Nations security

138. Security arrangements for the new mission must be considered in the context of the larger security environment. As part of the assessment mission, a team deployed by the Department of Safety and Security carried out a comprehensive review of the security situation in the country, including a threat analysis. In noting that, despite the repeated occurrence of civil unrest, there was no direct threat to United Nations staff during the period under review, the analysis confirmed that the United Nations presence in Timor-Leste continues to be viewed in a positive light by the local population, irrespective of faction, religion or political persuasion. While not specifically targeted, some UNOTIL staff, military and police training advisers, however, were caught up in serious incidents of violence, indicating that, at least in the near term, United Nations staff in Timor-Leste will continue to work in an environment characterized by unrest and uncertainty.

139. As part of the integrated structure of the mission, a single security section (resulting from a merger of the UNOTIL Security Section and the Office of the Security Adviser) will operate under the supervision of a security adviser appointed by the Department of Safety and Security. This security section will provide security services, security information and security operational support to the mission and the United Nations country team. A security information management capability will be established and integrated within the joint mission analysis centre to analyse all available security-related information in order to better understand the security situation, enable well-informed decision-making and update staff. The section will also deploy staff to five district locations outside Dili to provide security support to all civilian personnel of the mission.

140. United Nations facilities and specified residences in Dili will be secured using a multitiered structure, involving use, at the first tier, of the limited national police capacity available; at the second tier, of local, unarmed, commercial contract guards supervised by United Nations national and international security officers and augmented by an armed military company (see para. 117 above); and, at the third tier, of United Nations formed police unit(s) to provide reinforcement in times of unrest or during demonstrations. United Nations facilities outside Dili will, on the other hand, be secured using unarmed commercial, contract guards supervised by United Nations national and international security officers. An infantry company of about 140 soldiers, to be provided as part of the mission's military component or through arrangements with the international military forces of the Combined Task Force (see para. 118 above) will have the capacity to secure the mission headquarters, provide emergency response to incidents at the district facilities and, in coordination with the United Nations police, reinforce convoy escorts where there

is a high-value cargo and verifiable threat. Close protection of designated United Nations principals will be two teams of international close protection officers, backed by the capacity to deploy a third international close protection team and reinforced, as required, by up to four teams consisting of trained close protection police officers from within the formed police unit(s). As the national security sector capacities and resources improve, the mission will gradually transition responsibility for United Nations security requirements to the national authorities.

D. Financial implications

141. The financial implications arising from my recommendations regarding the establishment of a United Nations multidimensional, integrated mission in Timor-Leste will be submitted to the Security Council shortly as an addendum to the present report.

VIII. Concluding observations

142. The self-determination of East Timor and the building of the new State of Timor-Leste have been important commitments of the United Nations, and the international community as a whole has invested heavily in this endeavour. The recent crisis has not nullified those efforts or revealed Timor-Leste as a failed State. Much has been achieved since independence in major areas of institutional capacity-building. But the United Nations and the international community have learned from lessons elsewhere, and have now been starkly reminded by the Timor-Leste crisis, that nation-building and peacebuilding are long-term tasks. This is especially true of the time required to build a new police service and justice system. We now have a responsibility not only to remain committed to assist Timor-Leste, but to show that we commit ourselves to do so on a long-term basis.

143. Whatever successes have been or may be achieved through the work of successive peacekeeping missions will be undermined if a failure of socio-economic development leaves the people of Timor-Leste, especially its young people, in poverty and unemployment. Independent Timor-Leste began with the economic setback of widespread destruction and was initially donor-dependent. Today, the income to be generated from the Timor Sea has brought the promise of growing budgets, but long-term development efforts to translate available budgetary resources into programmes addressing rural poverty and urban unemployment are as crucial as anything that can be done through a new United Nations mission.

144. An enhanced international role in the security sector and elsewhere must fully respect the national sovereignty of Timor-Leste, and the process of nation-building, which now intensifies, must be Timorese-owned and led. As it reinvests in this process, the international community should be able to expect that the country's political leadership, having reflected on the crisis, will work together to broaden the country's political functioning into an open, pluralistic democracy in which all Timorese feel that they have a stake. While credible elections next year must be a keystone in this process, it requires far more than elections alone, including decentralization of decision-making and the full engagement of civil society.

145. The new Government represents a political compromise, and must address the grievances which gave rise to the crisis as well as developing strategies to tackle its underlying causes. There is a danger that some parties will shift immediately to the competitive dynamics of pre-election politics, instead of reflecting on past mistakes and engaging in dialogue to forge as much consensus as possible in addressing the national agenda. It is time for the Timorese leadership to rise above both recent conflicts and older divisions, going back to the 1970s, to enable the Timorese people to look together to a better future. The east-west tensions which have emerged in the violence may not be deeply rooted, but they have acquired a reality which now needs to be addressed through the active efforts of the political and religious leadership if community reconciliation is to be achieved, especially in Dili.

146. As is now well recognized, reconciliation must be based on truth, and on the accountability of those with responsibility for violations of human rights, whether criminal or political. The Independent Special Commission of Inquiry will, I am confident, offer a good basis for this in relation to recent events. The proposed re-establishment of a capacity to investigate the serious crimes of 1999 as well as active follow-up to the report of the Commission for Reception, Truth and Reconciliation will constitute a recognition that combating impunity in one set of circumstances is necessary to prevent impunity in the next.

147. The new Government, and the one which will follow elections in 2007, face a difficult challenge if they are to establish the full trust of the Timorese people in their politicians and confidence in the ability of the State to uphold the rule of law. The Timorese leaders and people should know that the United Nations will be ready to offer its good offices, as well as the support of a new and sustained mission in Timor-Leste, alongside the United Nations country team, as a candid and self-critical friend and partner in helping them to do so.

United Nations S/2006/629

Security Council

Distr.: General
10 August 2006

Original: English

United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004, and 1619 (2005) of 11 August 2005,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, the mandate of which was extended most recently on 11 August 2005, and *reaffirming* that the United Nations should play a leading role in assisting the efforts of the Iraqi people and Government in strengthening institutions for representative government, and in promoting national dialogue and unity,

Stressing that this Iraqi national dialogue, which UNAMI should assist, is crucial for Iraq's political stability and unity,

Welcoming the request conveyed in the letter of 3 August 2006 from the Foreign Minister of Iraq to the Secretary-General (S/2006/609), expressing the view of the constitutionally elected Government of Iraq that there continues to be a vital role for UNAMI in assisting Iraqi efforts to build a productive and prosperous nation at peace with itself and its neighbours,

Taking note of the letter dated 1 August 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/601), and *expressing* its appreciation for the role that the United Nations is playing in Iraq with the support of the international community,

Welcoming the Secretary-General's agreement, as requested by the Government of Iraq, that the United Nations, as co-chair, will provide strong support for the International Compact of Iraq, launched on 27 July 2006 with a joint statement by the Government of Iraq and the United Nations,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq (UNAMI) for another period of twelve months from the date of this resolution;

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2. *Expresses* its intention to review the mandate of UNAMI in twelve months or sooner, if requested by the Government of Iraq;

3. *Requests* the Secretary-General to update the Council on a regular basis on the latest developments of the International Compact of Iraq;

4. *Decides* to remain seized of the matter.